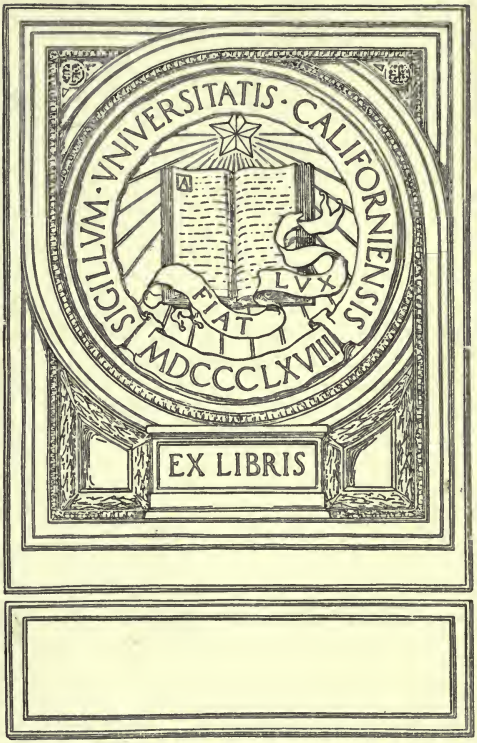
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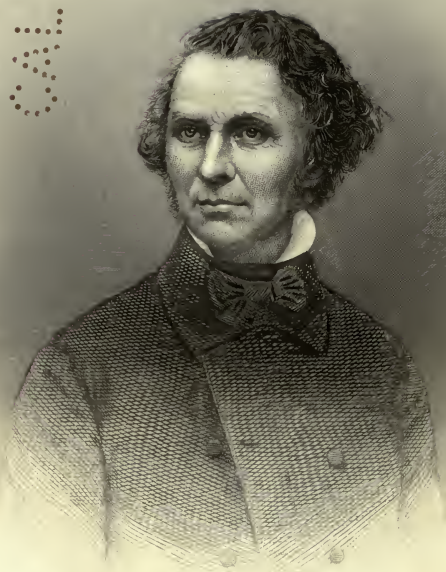

Engraved by J.C Buttre.

Neal Dow

THE

MAINE LIQUOR LAW:

ITS

Origin, History, and Results,

INCLUDING

A LIFE OF

HON. NEAL DOW.

BY

HENRY S. CLUBB,

SECRETARY OF THE MAINE LAW STATISTICAL SOCIETY.

How oft the sight of means to do ill deeds
Makes ill deeds done.—SHAKESPEARE.

New York:
PUBLISHED FOR THE MAINE LAW STATISTICAL SOCIETY,
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IN THE CLERK'S OFFICE OF THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

DAVIES AND ROBERTS, STEREOTYPERS,
201 William Street, N. Y.

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The Secretary of the Maine Law Statistical Society hereby presents his grateful acknowledgments to the contributors who have kindly assisted in the preparation of the present work; to the subscribers who have cheerfully promised to aid the Society by purchasing its publications; and to those editors who have been pleased to notice the Society and its operations in a favorable manner. The further co-operation of the friends of temperance in promoting the interests of the Society and the cause, by the contribution of facts and purchase of its publications, is earnestly solicited.

Editors favoring this work with a notice, and desiring the future publications of the Society, will please to forward the paper containing such notice to the Secretary of the Maine Law Statistical Society, care of Messrs. Fowler and Wells, 308 Broadway, New York city.

New York City, *September*, 1855.

INTRODUCTION.

PROHIBITION has been recognized as a principle of law ever since laws have been known to exist. The very first law recorded is prohibitory, and it relates to human aliment:

> And the Lord commanded the man, saying, Of every tree of the garden thou mayest freely eat: but of the tree of the knowledge of good and evil, THOU SHALT NOT EAT OF IT; for in the day that thou eatest thereof thou shalt surely die.*

The use of wine and strong drink was prohibited to the priests during all the time they were in the tabernacle and employed in the service of the altar.† Nine of the Ten Commandments are literally prohibitory laws. Wine was prohibited to the Nazarites.‡ These, among others, are instances in the laws of MOSES where the principle of prohibition is recognized, and in many cases its direct application to the drinking customs is also exemplified. Speaking of the laws of God, Judge BLACKSTONE says: "They are in obligation superior to any other. No human laws are of any validity if contrary to them."

The laws of JONADAB, the son of RECHAB, also were prohibitory liquor laws of the most direct and personal character; not forbidding the sale or purchase, but

> Ye shall drink no wine, neither ye, nor your sons forever.§

Among the Hindoos there is a law of their Deity BUDDHA which is still observed by the Buddhists. It formed the fifth of the laws of Buddha:

> Not to use intoxicating liquor or drugs.‖

The date of this law is believed to be about 550 years before Christ.

* Genesis ii. 16, 17. † Leviticus x. 9. ‡ Numbers vi. 3.
§ Jeremiah xxxv. 6. ‖ COLEMAN'S Mythology of the Hindoos, p. 198.

MOHAMMED also prohibited the use of intoxicating liquors, and regarded it as a great sin as well as gambling; both of which he admits to be of some use to man, but that "their sinfulness is greater than their use."*

Among the tribe or nation called Suevians, of the ancient Germans, some two thousand years ago, there was a law prohibiting the bringing of wine into their territory. Their reason was, that it enervates the mind and unfits the body for exercise or labor.

The Society of Friends, fifty years ago, enacted a law by which a member is disowned who persists in importing, distilling, or vending ardent spirits, or in selling grain or other produce for the purpose of distillation.

The Congress of the United States, in 1802, passed a law authorizing the President to use whatever means in his judgment might seem best to prohibit the sale of spirits to the Indian tribes. This was amended in 1815, and again in 1822. These laws are still in full force. The search and seizure clause not only authorizes search on suspicion, but it requires a forfeiture of all liquors found, and of all the other goods in possession of the trader, as well as imposing a heavy penalty.

These are a few of the precedents for the Prohibitory Liquor Laws of Maine and other American States and provinces. A careful examination of them will lead to the conclusion that they are all not only the same in principle, but in purpose or design, and that the movement, of which this work is a history, is the natural result of the enlightenment of the present age, in applying to the masses of mankind principles which before have been observed only by the few. It is, in fact, the embodiment of the moral and political convictions of Society in the laws which are enacted for their mutual protection and defense, and for the personal and moral security of themselves, their children, and posterity.

* Koran, p. 39.

Part First.

LIFE OF HON. NEAL DOW,

INCLUDING THE

ORIGIN OF THE MAINE LAW.

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THE

LIFE OF HON. NEAL DOW.

Chapter One.

In regard to Mr. Dow, he is one of the best men that ever lived. He is warm-hearted, generous, and candid. He is, however, impulsive, and sometimes does things which even his friends object to; but you will find him at all times guided by the purest motives. No man enters the Legislative hall; no man goes to a mass meeting and is received with such enthusiasm as Mr. Dow is. Whatever he says is listened to with profound respect.—GOVERNOR MORRILL.

BIRTH-PLACE AND YOUTH.

Early settlement of a peninsula—Destruction of the settlement by the Indians in 1675, and again by the French and Indians in 1690—Desertion of the peninsula—Incorporation of the new settlement as Falmouth—Becomes a distinct town, and receives the name of Portland in 1786—Parentage and birth of NEAL DOW—The occupation of his youth—Prohibitory Law of the Society of Friends—Characteristic of his mind eminently practical—Observation a principal feature of his training—Early impressions in relation to intoxicating liquors—Industrial pursuits the best preparation for his after life.

1. As early as 1632, GEORGE CLEAVES and WILLIAM TUCKER, two adventurers from the west of England, procured a grant of land, consisting of a peninsula at the western extremity of Casco Bay, between Casco River on the south and Black Cove on the north. The length of this peninsula from east to west is three miles, and its average width three quarters of a mile. It contains two thousand two hundred acres of land. On the eastern and western extremities of this peninsula the ground rises to a considerable eminence; and as nearly the whole is surrounded by the sea, and from these heights, on either end, can be seen the Atlantic Ocean; the bay to the mouth of the Kennebec, with its numerous isles, which in summer are dressed in robes of green; the Agamenticus Hills in York County; the whole range of mountains on the New Hampshire borders, from Ossipee, near Lake Winnipiseogee, to the celebrated White Mountains, which

form the background of a magnificent landscape, with Mount Washington in full view, these two adventurers might well be charmed with the spot, and form the determination to erect thereon a settlement which, as time advanced, should become a city "beautiful for situation."

2. In 1675, however, the settlement was entirely destroyed by the aborigines. It was again erected, and in 1690 again destroyed by the combined forces of the French and Indians. This beautiful peninsula then lay waste and apparently deserted for a period of twenty years. In 1718, a settlement having again sprung up, it was incorporated under the name of Falmouth, with towns now called Elizabeth, Westbrook, and Falmouth, by the Legislature of Massachusetts. In 1786 the settlement became again a distinct town, and was incorporated under the name of Portland.

3. Residing in this town, near the western end of the peninsula, was a steady, industrious member of the Society of Friends, quietly carrying on the business of a tanner. On the 20th of March, 1804, he had born unto him a son, whom he called "NEAL." As time advanced, NEAL became a youth, and diligently applied himself to the business of his father's calling.

4. The Society of Friends having prohibited by law the manufacture of ardent spirits, it was not surprising that his naturally warm and enthusiastic temperament should heartily espouse the principle taught in that Society.

5. The occupation in which he was daily employed bringing him in close contact with persons engaged in industrial pursuits, he had ample opportunities of noticing the effects of certain habits on persons so engaged. The striking characteristic of his mind was evidently and pre-eminently practical. Whatever views he imbibed, whether as the result of study or observation, the impulse to apply those principles to life, in the circumstances by which he was surrounded, became irresistible.

6. As the town advanced in population and commerce, it also advanced in civilization and refinement. But, antagonistic to these, and in spite of these, there was growing up in the midst

of the people a habit of indulging in the use, not only of ardent spirits, but of intoxicating liquors in all their varied forms! With the ardor of his youth he received deeply from practical experience strong impressions of the evils resulting from such indulgences, and he became strongly attached to the temperance movement from its commencement, on the total abstinence principle.

7. His education, in a scholastic sense, had not been neglected; but it was the education which he derived in a tan-yard and in his constant intercourse with industrial society, which did most to prepare him for that life of active usefulness which has since made his name one of the most remarkable in the history of American reformers, and, we might say, were he not still living, of American heroes.

Chapter Two.

I remember SOMERFIELD said in a speech, with that infantile eloquence which charmed us so much: "I would rather be the author of the *Dairyman's Daughter* than of Homer's *Iliad*." I would rather go with NEAL DOW's reputation to posterity, and to have to meet at last the gathering up of the influence of his life in the noble contemplation of an eternal world, than be any other man who lives or has lived in this country, the magnificent Father of his country not excepted.—REV. DR. TYNG, of New York.

ENTRANCE INTO PUBLIC LIFE.

No compromise with moderate drinkers—Director of the alms-house and house of correction—Portland becomes a city in 1832—Cause of ruin to the inmates of the alms-house and house of correction—Facilities offered by the traffic the incentives to intemperate habits—The traffic authorized by State and city governments—The traffic no benefit to the community—The traffic a cause of immeasurable evil to society—NEAL DOW's public advocacy of temperance—He finds that the law did not require that licenses be granted—Could not licenses be withheld?—NEAL DOW labors to change public opinion and to affect municipal action thereby—Total prohibition of the liquor traffic the succeeding idea—Memorial of General JAMES APPLETON and others for an abrogation of the license laws and prohibition of the sale of liquors.

1. NEAL DOW joined heartily in all the phases of the total abstinence movement, taking care to avoid every compromise with the moderate drinkers of intoxicating liquors. He was

drawn to this step by his observation of the frightful evils resulting from intemperance, which were doing so much to retard the progress of his native city and State, being convinced that the general good of the community depended on an effectual check being given to the growth of that giant evil. He regarded such an object as every way worthy the efforts of the best and ablest men of the country.

2. His convictions on this subject were deepened by an experience of several years in the direction of the alms-house and house of correction of what in 1832 became the *city* of Portland. In this connection he saw that the ruin of those who were committed to these houses was almost in every case to be attributed to the use, not of ardent spirits merely, but of whatever liquors would produce intoxication. This important fact led him to consider the cause of the evil and how to remove it. He saw that the traffic in these articles offered facilities for obtaining them which would not otherwise exist, and in his observation of the habits of the people around him, he saw that these facilities became the tangible incentives to the habits which he so much deplored. He saw that workingmen, on returning from their daily toil, wearied by exertion, very naturally resorted to the readiest means at hand to procure refreshment, and, as the traffic had established its offices throughout the city, intoxicating liquor had gradually become the most available substitute for natural and wholesome aliment!

3. He saw, too, that this traffic in alcoholic beverages, although spreading misery and devastation among the people, was authorized and licensed by the State and city governments; that the evil which he and others had been laboring so diligently to remove, was, in fact, fostered and sustained by the law of the land. His acute and discriminating mind led him to examine the traffic itself, and he came to the conclusion that the community received no benefit whatever from this business, although its cost exceeded that of any other traffic in the country. That the community not only derived no benefit from it, but, on the contrary, was suffering immeasurably from the evils resulting therefrom.

4. In his public advocacy of temperance he began naturally to direct attention to the traffic as mainly promoting the drinking habits of the people, and to the anomaly of a government *sustaining by law* a system which was doing more than any other to impede the prosperity of the State.

5. He examined the law, and found that it did not absolutely *require* the municipal authorities to grant licenses, but merely gave the power to do so in each city and town. This led him to consider whether, even under the then existing law, something could not be done to check the evil by abolishing the license system, or rather by creating such a public as would influence the municipal authorities to refuse licenses for the sale of liquors. This idea, however, did not originate with NEAL DOW, as it had been even then in practical operation in many parts of New England with gratifying results.* He labored diligently in disseminating information on this subject, and in advocating the exercise of such municipal authority as would make the traffic illegal. He saw, however, that this could only be a step toward more decided legislative action. He saw that the legislatures of many of the States, as also the governments of Europe had, time after time, devised plans and enacted laws for the *regulation* of the liquor traffic, and as drunkenness, in spite of legal enactment on the one hand, and persuasive appeals on the other, still continued to increase and to fill the world with misery and woe, it was natural for his practical mind to conceive the idea of the total prohibition of the liquor traffic by legal enactment.

6. If it be not true that

All partial evil 's universal good,

it is certainly a fact that what appears to be evil often seems to give rise to such events as afford new impulses and originate important improvements. It was thus in the State of Maine, when some of the promoters of the temperance reformation had so far forgotten their principles as to compromise with wine-drinkers, and form with them a consolidated body called the "Maine Temperance Union," a school of sound temperance

* See *Results of Prohibition in Massachusetts*, Chap. II., Sec. 1–13, and Chap. V., Sec. 1–10.

men (among whom was NEAL DOW) arose from the ruins of the old organization, and their first appearance in the Legislature of the State was in 1837, when a memorial, drawn up by General JAMES APPLETON, of Portland, was presented, demanding, not only an abrogation of all license laws, "as the support and life of the traffic," but also "an entire prohibition of all sale, except for medicine and the arts," for the same reason that the State makes laws to "prevent the sale of unwholesome meats, or for the removal of any thing which endangers the health and life of the citizen, or which threatens to subvert our civil rights or overthrow the government."

7. Much credit, therefore, is due to General APPLETON for this truly gallant achievement; for however brave he may have been in the exercise of his profession, we can not suppose that he remembers any action on the battle-field with any thing approaching the satisfaction with which he may reasonably regard this "first attack" on the greatest enemy of every civilized community, a "legalized liquor traffic."

Chapter Three.

As this abuse [intemperance] runs into a general practice of all ages and both sexes, it will be a fit subject for the consideration of the public, which is by this means diminished in its numbers even to a degree of being felt, and deprived of the use of many hands which grow feeble even before their wasted bodies sink into the grave.—DR. CHANDLER, Bishop of Lichfield and Coventry [England] in 1724.

FIRST DEFEAT AND FIRST TRIUMPH.

The country not yet prepared for General APPLETON's proposition—The Washingtonian movement—The position taken by NEAL DOW on the rum traffic—Devotes his life to the cause—First advocacy of prohibition before an official tribunal in 1839—Question referred to the direct vote of the people—License system, at first, triumphant—Advantage of the Washingtonian movement—Rumsellers begin to see their danger—NEAL DOW again resorts to public agitation—Rum traffic not to be tolerated—Force of public sentiment on official Conservatism—Portland refuses to grant licenses in 1843—Character of the opposition—Success of efforts on public opinion—First triumph at the ballot-box.

1. IN 1837, however, the country did not seem prepared for so decided a step as that proposed by General APPLETON. The Washingtonian movement, a happy combination of temperance

with a benevolent order of united brethren, became the leading feature of the temperance reformation. It was, indeed, a great time of "revival," and hundreds of thousands were brought into the temperance ranks in 1841 and '42 by this movement. In this "revival" NEAL DOW distinguished himself by his diligence, frequently lecturing eight and ten times in a week. Great good was effected by this movement, as in the meetings and conventions held in connection with it, the subject of legal prohibition as a remedy for the liquor traffic was discussed from time to time.

2. NEAL DOW took the strong position, that "if the rum traffic could not be outlawed, no permanent ground could be gained; and that while moral suasion was to be used with the inebriate, the man who effected the ruin must not only no longer be licensed in his horrid work, but must be rooted out and driven from his business by the strong arm of civil power, for it could be done in no other manner." To this one object did NEAL DOW devote his life from this time forward, sparing neither labor nor money to arouse in the people of Maine that righteous indignation at the atrocious liquor traffic which resulted in the enactment, in 1851, of the first Prohibitory Liquor Law in the United States.

3. The labors by which this great victory was achieved are worthy of a permanent record. NEAL DOW first advocated the principle of prohibition in 1839, before the Board of Aldermen. He then succeeded in inducing the Board of Aldermen to refer the question of license or no license to the direct vote of the citizens of Portland. In a vote of 1,163 he was defeated only by a majority of 35. The fact, however, that in a population of about 15,000, 564 of the adult male citizens had voted against granting licenses for the sale of liquor, was regarded by NEAL DOW as a cheering indication of ultimate success. With characteristic ardor he continued to labor, and in 1842 the Washingtonian movement came to his aid. He saw the great advantage of this movement, in leading to the overthrow of the rum traffic. But the rumsellers *also saw their danger*, and professing great interest in the Washingtonian reform, succeeded for a time in persuading the subjects of it that as *they* were operated upon and

induced to abandon their cups by example, and kind and earnest appeals to heart and conscience, so no coercive measures against the rum traffic should be countenanced by them.

4. But now he saw that if the better part of the community could be induced to make a decided movement for the overthrow of the rum traffic, it might be accomplished. He therefore attended temperance meetings everywhere in the State, to demonstrate to the people, who assembled in great numbers, that the rum traffic was not only of no good to the community under any circumstances, but was the prolific source of infinite evil, and that it ought not to be tolerated.

5. At length, official Conservatism gave way before the force of public sentiment, which had thus become influenced by that more enlightened Conservatism which recognizes right, justice, and moral principle as the only basis of permanent peace and prosperity; *the authorities of Portland refused to grant any more licenses* to sell intoxicating liquor. This was in 1843.

6. A marked feature of all these agitations upon the subject of license or no license was, that all drunkards and drinking men were in favor of license, and opposed the temperance movement with great violence, while at the commencement of the agitation great numbers of good men, so called—quiet and good citizens—either stood aloof from the contest or took open ground in favor of licenses. Change in public opinion was what he saw essential to success, and of this he never despaired, and in this he eventually succeeded.

7. NEAL DOW's next aim was to secure a municipal regulation which should render the whole traffic in intoxicating liquors illegal. Unwilling to assume this responsibility, the authorities referred this question to a vote of the people. The progress made in public sentiment in about three years, chiefly through the exertions of NEAL DOW, was indicated by the result of this ballot. From a minority of 35 on the simple question of withholding licenses in 1839, we find him, in less than four years, carrying the still more important point—prohibition of the liquor traffic—by a majority of 440.

Chapter Four.

Who can tell the benefit that is to come from that one man whom God has raised up to be the originator of this measure? By this law you treat the actual instrument as the criminal. Knock his brains out wherever you catch him, and do it at once.—REV. DR. TYNG, of New York.

TEMPERANCE POLITICS.

State legislation the next object to be attained—Petitions to the Legislature—Address before the Legislature of the State—The bill passes the House, but is rejected by the Senate—The effort repeated, with similar results—NEAL DOW is joined in his efforts by the temperance friends—The people appealed to—Renewed agitation—Effects on the public mind—Forty thousand petitioners for prohibition—Prohibition becomes the issue at elections—Passage of a prohibitory bill in 1846—Difficulties in enforcing the law—Attempt to repeal the law unsuccessful—Testimonial from the Juvenile Washingtonians—Sustaining the law expensive—Moneyed citizens still standing aloof—Agitation for a more stringent law—Drunkenness again predominant—Where was NEAL DOW?—Passage of another bill—Veto by Governor DANA.

1. THE victory thus far achieved by NEAL DOW was by no means the summit of his laudable ambition. The law being merely of a municipal character, and without the direct authority of the State, was only enforced by such magistrates and peace-officers as happened to be favorable to it; and as their influence was small compared with that of the moneyed interests on the side of rum; and as the enforcement of the law met with strong and violent opposition, NEAL DOW was led, as a necessary alternative, to apply for the legislation of the State. Thus the very opposition which he met became the means of turning his attention to the more successful plan, the opponents blindly pursuing the course which tended most to the ruin of the traffic they desired to sustain.

2. In 1843, NEAL DOW printed and circulated, at his own expense, petitions to the Legislature, praying for a stringent law, and "that the traffic in intoxicating drinks might be held and adjudged as an infamous crime." The petitions were received, and in February, 1844, he appeared before a committee in the Representatives' Hall in the Capitol, which was crowded with an intelligent audience, and there, with his own convincing argu-

ments and earnest eloquence, he advocated the claims of the petitioners. The committee reported a bill favorable to his views, which passed the House, but was unsuccessful in the Senate.

3. In the fall of 1844, NEAL DOW again printed and circulated petitions, again addressed a committee in the Hall of Representatives, in the Capitol at Augusta, but with no better success than before. From this time the friends of temperance began to bestir themselves generally. They determined to appeal to the "sovereign people." Meetings were held through 1844, '45, and '46, in every part of the State. NEAL DOW was pressed to attend them, and zealously did he pursue the work. The winter's cold, the summer's heat, snow, rain, exposure, and expense were all disregarded when his duty to this important mission needed his attendance, and "many," says one of his companions in traveling, "are the school districts, those hiding-places of power, which can testify to the force of his reasoning, the aptness of his illustrations, and the severity of his animadversions on the traffic and the traffickers." In every speech his great object was to show rumselling to be an infamous crime, and the ballot-box its antidote. The faith of an apostle seemed to inspire him. He worked like one who knows his mission, and he never doubted his ultimate success, but knew well that it could only be secured by his own unceasing diligence. In the spring of 1846 he traveled over four thousand miles, within two months, in the counties of York, Oxford, and Cumberland, and at numerous meetings he came in contact with many thousands of citizens, creating a deep-rooted and wide-spread enthusiasm among the people which the experience of years has fully justified. The conviction which he impressed upon the citizens was, that talking and working for temperance would do little good without voting for it as well; and there can be no better proof of the lasting character of the conviction he produced than the fact that the Legislature became at every election more and more composed of Maine Liquor Law men, until this became a test of universal application and an issue at all elections.

4. In July, 1846, NEAL DOW appeared again before a com-

mittee of the Legislature, and presented one petition from Rutland, fifty-nine feet in length, with three thousand eight hundred names, most of which had been obtained by his own personal efforts. That it might be seen to advantage, it was suspended from the book-cases on either side of the speaker's chair. This was followed by other petitions, and the aggregate names signed in favor of prohibition at this session was forty thousand. This heavy pressure from without could no longer be resisted with impunity, and a bill abolishing the license system, and leaving all sale forbidden, was passed by a vote of eighty-one to forty-two in the House, and twenty-three to five in the Senate.

5. NEAL DOW, in communicating this cheering intelligence to the Secretary of the American Temperance Union, said, "This is the first instance, I believe, in which the government of a civilized Christian State has declared by statute that there shall not be within its borders any traffic in intoxicating liquors to be used as a drink; and that if any such liquors shall be sold for such purpose, under any circumstances, it shall be against law and equity and a good conscience. It was enacted in answer to petitions of more than forty thousand of the good people of the State, and constitutes the *first blow* only which the friends of temperance here propose striking at the traffic in strong drinks." It will be seen, therefore, that NEAL DOW, although a great enthusiast, conducted the work with the coolness and judgment of a philosopher and the foresight of a statesman. If he could not secure all he desired, he would accept whatever the Legislature would grant, and patiently labor till the next session, again to renew his exertions for more perfect legislation.

6. The act of 1846 for a time produced a good effect; but as the penalties for its violation were small and the profits large, the law was evaded by a variety of subterfuges. The greatest difficulty, however, in its proper enforcement was the inefficiency of the municipal officers, who were most commonly opposed to it, having doubtless been aware of the fact that to rum-drinking at elections, and not to any merit of their own, they were indebted for their "little brief authority;" besides, tavern-keepers had

been their political friends, and would be again if the traffic were allowed to continue. It was on individual citizens that this work had to fall throughout the State ; and what is simply the duty of a civil officer is often regarded as officiousness when done by a private citizen. It was therefore only such men as dared to risk the malice of unprincipled liquor-sellers and the condemnation even of personal friends, for the sake of preserving law and good order, that could be induced to lay the necessary information to procure convictions before the civil magistrate. Such men, however benevolent in their intentions, were subjected to the most annoying persecutions. They bore personal insult and the besmearing and burning of their buildings with the fortitude of martyrs. But there was one man in the midst of all this excitement whose boldness and disinterested exertions placed him above the reach of the most infuriated mobs. When, by the instigations of the rumsellers, the Court-house was assailed by hundreds of misguided men for the purpose of assailing the witnesses, NEAL DOW would walk through the crowd unarmed and unharmed, and protect the witnesses solely by the force of his own moral courage and influence. No hand was raised against him or those under his protection. Such was the respect which his manly courage secured even among his exasperated and deluded enemies, illustrating the truth that

> "He is thrice armed
> Who has his quarrel just."

7. Amidst all the difficulties which beset him on every side, NEAL DOW had indications of the growing approval of the people. To a mind so determined, defeat was only an instigation to renewed exertions, while success tended to strengthen hope. Every influence, whether favorable or unfavorable, was turned to account and made to contribute toward ultimate success. Among the most encouraging events which happened at this period was the following, indicating that the young people of his native city were among the first to appreciate his exertions. A meeting of the Juvenile Washingtonians was held in the Exchange Hall, the

largest room in the city, when a beautiful gold medal was presented to him, bearing on the obverse the following inscription:

PRESENTED

TO

Neal Dow

BY THE

JUVENILE WASHINGTONIANS,

APRIL, 23, 1846.

On the reverse is inscribed the appropriate and encouraging motto,

NEVER GIVE UP

—alluding to the efforts of Mr. Dow in persuading the people that the rum traffic is inconsistent with the public good, dangerous to the rising generation, and that it should consequently be prohibited.

8. The liquor-dealers, although in many cases still continuing their accustomed calling, found themselves subjected to so many inconveniences, that in 1847 they roused themselves, got up a petition signed by seven thousand citizens, covertly gained, for a repeal of the law. This was confronted by a loud remonstrance from the friends of the law. Both parties were heard in the Hall of Representatives before a committee of the Legislature and a numerous audience, including a majority of both Houses. On this occasion NEAL DOW made a speech which has been described as one of "burning irony, withering rebuke, and caustic satire." The committee, having a tavern-keeper for its chairman, reported a bill repealing the law of 1846; but it was refused a second reading in the House, and never reached the Senate.

9. To sustain a law, however, so weak in its provisions, was more expensive than profitable, and NEAL DOW and his friends determined to agitate the idea of a more stringent law, so as to secure such a legislature as would enact one. This brought the subject of prohibition into coalition with the old "party lines" in politics. The rum traffic was then left to its own course of un-

licensed illegality. So long as NEAL DOW and his friends labored and expended their means, they were simply let alone by the respectable and influential citizens who could have rendered essential aid in the work. But when the traffic was thus left to work its own ruin, drunkenness set in like a flood of burning lava. This state of things soon began to alarm the peaceable but self-indulgent citizens. Parents looked with deep anxiety on the ruin and desolation to which their children were becoming victims. The questions, "Where is NEAL DOW?" "Can nothing be done?" "Is there no remedy?" were asked at every turn. The Mayor of Portland publicly complained of the increase of intemperance, but said he could see no remedy. The temperance friends, however, rallied, and declared that the election of temperance men to the Legislature would secure the desired result. The politicians of both parties saw that temperance men would alone be successful candidates in those districts at all enlightened on the subject by NEAL DOW and his co-workers. The struggles at the primary elections or nominations were very severe, and success was often doubtful; but having gained some experience in political tactics, the temperance friends persevered, and became more than a match for their besotted opponents of both political parties.

10. The result of these exertions was manifest in the passage by both Houses of a bill in 1849, which, though not entirely satisfactory, was a great improvement upon the former bill. This bill, however, was vetoed by Governor DANA, which proved to him an act of political suicide.

Chapter Five.

Dr. TODD once opened a speech on peace by saying, that the time would yet come when the science of war would be so skillfully practiced, that two opposing armies would meet each other, prepared to annihilate or be annihilated at the first fire. This was seven years ago, in Boston. By their drugs, the liquor-dealers have nearly attained to this perfection on their side, while we are not far behind them on ours by the Maine LAW.—REV. DR. MARSH, of New York.

BECOMES MAYOR OF PORTLAND.

Another attempt, and defeat in the Senate—An indication of a coming victory—The secret of NEAL DOW'S success—Sympathy of the people—Defeat of party politics—Nomination for Mayor of Portland—Characteristics of the opposition—Prejudices of the politicians—Triumphant election as Mayor of Portland—Improvements in Portland—Responsibilities of NEAL DOW'S position.

1. STILL persevering, NEAL DOW again appeared in the Hall of Representatives in August, 1850, with a bill of his own drafting, subsequently known as the "Maine Law." He there made another of his clear, logical speeches, and pressed the adoption of the bill. It was reported in the House and adopted without alteration, but it was lost in the Senate by a tie vote. This indication of a coming victory inspired the friends of temperance with a new hope throughout the State, and, in the succeeding elections in the fall, many a zealous advocate of the temperance cause was elected for the express purpose of carrying through the new bill.

2. The secret of NEAL DOW'S success was in his indomitable energy, his talent, and his tact. He was constantly engaged in addressing the people in the country churches, country school-houses, and in groves, persuading them that their interest and those of their children required the extirpation of the rum traffic, and that they could easily accomplish this, if they wished it, by their votes. Many parts of the country which he visited were newly settled, and inhabited by hardy pioneers who had themselves subdued the native forests, and who lived, consequently, in a style of primitive simplicity, and could not, therefore, easily be corrupted by rum influence, when they saw the

truth of NEAL DOW's position. These tours brought him into close contact with masses of the *people*, and into sympathy with them; and while he acquired their confidence and respect, he drew down upon himself the hate of the politicians and leaders of the political parties, because he disturbed their plans and drew away the voters from their blind adherence to party, and led them to elect men only who were in favor of the anti-rum movement.

3. For several years had he devoted himself to this particular work: the bringing up public opinion—the popular feeling of the State—to a point where a stringent prohibitive law would be sustained. Politicians of all parties found that they could no longer calculate upon the results of elections, and were no longer sure of the offices for themselves and their friends. They no longer dared bring a barrel of rum to the hustings—the potent instrument wherein they formerly carried elections—for the rum would now *drive away* the respectable, though it might draw the depraved. The people were thus drawn away more and more from their old party attachments to the new movement against the grog-shops, and he was hated more and more, and opposed more and more, by all the seekers after office, and by all who lusted after the spoils of political victories.

4. It was under these circumstances that he was proposed for mayor of *his native city* in April, 1851; but his nomination was violently resisted by the mere politicians of all parties, who were unable, however, to prevent the masses of the people from making the nomination.

5. But there were other elements of opposition to him besides those composed of men essentially bad. There were many respectable and influential men who were not averse to temperance, but who disliked agitation, and did not want to be personally troubled about any reform. With these he had come into contact many times in past years, as their influence was, in fact, opposed to the cause. By them he was regarded as a wild and visionary "fanatic," who "would neither be quiet himself nor permit any body else to be so." And though they had gradually

and almost imperceptibly come up to the proper standard under the pressure of an enlightened public opinion, they could not forgive him the past, nor consent that he should be regarded as an enlightened reformer, rather than "a wild schemer."

6. The other class of opponents, numerous and influential, consisted of the politicians of all parties, and of various degrees of talent and eminence, who had made political intrigue and management the business of their lives. Some of these men had been prominent in national politics; some famous in State politics, but unknown beyond; some were leaders of city politics only, and aspired to be themselves city officers, or to say who should be such, and others again were famous in ward caucuses only, whose voices were potential in determining who should be councilmen and constables, or, at least, who should have the honor of being candidates. All these politicians, from being very great men, suddenly became very little men under the operation of the temperance movement, and they naturally regarded NEAL DOW as the author of their fall, and hated him accordingly. They opposed him, and they opposed the movement because it was his work.

7. Although he had entered the political arena for the purpose of promoting his favorite object, the cause of temperance, such was the respect and enthusiasm in his favor among the independent citizens of Portland, that before he could achieve the triumph of his life, the passage of the Maine Law, he was elected mayor of Portland, a position in the State of Maine excelled only by that of Governor. His election to this office was the result of a desire, in the respectable portion of both political parties and men of no party, to do him honor; for, although nominated by the Whigs, there were many Democrats who gave him their cordial support, and he was elected by a larger vote than any of his predecessors. The news of this triumph was received with enthusiastic approval throughout the State.

8. To realize an idea of NEAL DOW's true position at this interesting period of his life, we must bear in mind the changes which had taken place in Portland from the time when our nar-

rative commenced. The peninsula was still there. The waters of the Casco Bay, of Casco River, and of Black Cove still washed its steep and rocky cliffs, and dashed its spray against its stern and rugged precipices. The majestic hills, dressed in their robes of white, still glistened in the sunlight at the extremity of the far-extended scene; and the tide still rolled on with its wonted regularity in that noble harbor. These things were unchanged. But covering the two hills and the valley between, there had arisen long lines of elegant avenues and streets, reaching from one extremity of the peninsula to the other—from the summit of one hill, gradually descending to the base, and then as gradually rising to the summit of the other. These avenues being planted with numerous elms and other favorite forest trees, and ornamented on either side with private buildings, of almost every variety of taste in architecture, of size and material, together with eighteen churches, a city hall, an exchange, and a custom-house, constituted a city of unusual beauty and imposing appearance; while the harbor had become the resort of vessels of the heaviest tonnage, of steamers, and all the various smaller crafts which enlivened the scene with their graceful activity and numerous white and swelling sails. On the summit, too, of the eastern hill stood a tower, from which can be telegraphed the first appearance, on the broad surface of the ocean, of the "homeward bound." From this tower, on the right, was to be seen the long bridge of the Portsmouth, Saco, and Portland Railroad crossing the upper portion of the harbor, connecting Portland with the city of Boston. On the left, that of the Atlantic and St. Lawrence Railroad, connecting this important sea-port with the great lakes at Montreal and Quebec, forming a striking feature across a wide portion of the bay. The city had become recently well lighted with gas, and many other modern improvements were then going on. The population, then numbering upward of 21,000, was rapidly increasing. New streets were being formed at both extremities of the city, and the formation of a magnificent promenade around two thirds of the city on its most elevated portions, were works requiring much energy, prudence, and fore-

sight in any one taking upon himself the responsible position of chief magistrate. While NEAL DOW suddenly became installed into an office involving all the important interests connected with such a growing city, and while he performed all the duties of that office with a diligence, punctuality, and promptness which a mere politically chosen magistrate seldom dreams of, his official position caused him in no degree to relax his ardor in the cause of prohibition. It was indeed a position above all others that could have been desired for enabling him to carry out in practical detail those principles for which he had so long and so arduously labored. It was a happy circumstance, and viewed in connection with the legislative triumph about to succeed, and the necessity for at least *one magistrate* to realize the spirit of the Prohibitory Law, in order to prove its entire practicability, his election as mayor may be regarded as a proof that the movement was under the direction of an all-wise Providence, for the accomplishment of its great and beneficent purposes among mankind.

Chapter Six.

It is a matter of some consequence to know where this law came from; not the pattern, that was given in the mount away down east, in Maine. Did the clergy, or synods, or conferences, or associations of Christians, tinker up and propose this law? Did it come from the lawyers, from the wealthy, from the commercial classes? No, it came from no such quarter. If there is a law which ever had its origin, its foundation, and all its springs among the people, and grew among them, and worked its way to notice from among them—if there ever was a democratic law, this is that law. I count this very important, because it foretells its permanence when once it is applied to all, from the top to the bottom. Go out now and make an inventory of those who are most active, and although we shall find many clergymen who acquiesce in it, and are very glad of it, and lawyers who approve it not a few, yet, characteristically, this is a law which has been demanded more by the people than any other class in this country.—REV. HENRY WARD BEECHER.

PASSAGE OF THE MAINE LAW.

NEAL DOW's sixth appearance before the Legislature—Invectives of the enemy—Enactment of the Maine Law—The force opposed to the execution of the law—Proclamation of the Mayor—Two months' probation—First enforcement of the law—Seizure of liquors—Interest felt throughout the county of Cumberland—The law becomes well established.

1. HITHERTO NEAL DOW had labored as a private citizen and philanthropist, striving for the achievement of a moral reform, but from this time he appeared as endowed with the additional

authority of official position. As mayor of the principal city of the State, he again appeared in the House of Representatives at Augusta. It was on the 25th of May, 1851, the sixth time of his addressing the Legislature on this subject. The representatives of the people had obtained their instructions from their constituents. The subject had been discussed throughout the State, and had been the issue on which the election had turned. The action of the government was all that remained to give the people's voice the authority of law. Hon. NEAL DOW spoke for an hour and a half in his usual style of acute reasoning, strong sense, and impassioned eloquence. He presented a bill, which was received and soon after acted upon by the Legislature.

2. While the bill was under consideration NEAL DOW was assailed by his opponents in the most violent manner, and bitter indeed were the invectives cast upon him. "Why," said Senator CAREY, the only leading man in the Senate who spoke in opposition to the bill, "should the lord-mayor of Portland come down here with his rum-bill, all cut and dried, for this legislature to enact into a law? If this bill passes, he expects to be the greatest toad in the puddle." * * "This mandate, this ukase was cut and dried for the adoption of the legislature by the mayor of Portland, who was before the License Committee, pricking them up to report in its favor, and is he to be allowed to dictate to a democratic legislature what enactment it shall pass, or what policy it shall pursue on this question?"

3. Notwithstanding the force of opposition arrayed against it in the House, the bill speedily passed that body by a vote of eighty-six to forty. The Senate was no less prompt and decided in its action, as it immediately passed the bill without alteration or amendment, as it had been prepared by its originator, by a vote of eighteen to ten. The Governor signed the bill on the 2d of June. So prompt and decided was the action of the legislative and executive departments of government on this measure, that from the time it was taken up to its becoming the law of the State, three days only had elapsed. As this may be regarded as too rapid for judicious legislation, it must be borne in mind that

the question had been under the consideration of the people and of the legislature for about ten years, and consequently further debate was unnecessary when it became known that a large majority were in favor of its immediate passage.

4. The next step was the enforcement of the law. Hitherto, and indeed at this very time, the enforcement of such a law had been looked upon as a moral and physical impossibility by a large number of the citizens, by whom NEAL DOW was regarded as one of the most impracticable enthusiasts that had ever disturbed their quiet indifference to the true interests and progress of the State. But now all the wise predictions of these *very practical* men were to be tried by the test of actual experience.

5. Portland was, by common consent, regarded as the place on the action of which depended the defeat or triumph of prohibition throughout the State. A large and important sea-port, with considerable capital invested in the rum-trade; one distillery in operation and another in course of erection; with all the nervous fear of merchant-capitalists, jealous of any change calculated to affect the "interests of trade," with about three hundred stores devoted to the sale of intoxicating liquors; a large foreign population, both Irish and German, determined to "maintain their rights"—to poison and be poisoned—together with the opposition of politicians and demagogues in every ward of the city, shouting their loud denunciations on NEAL DOW, and their patriotic appeals to the "sovereign people," certainly presented, altogether, an array of force calculated to appall ordinary men. The Mayor, however, was not to be intimidated by threats nor frightened by the indications of violence. He was too good a general to show either hesitation or fear. With the confidence of a man who has right on his side, and the support of the moral part of the community, he issued his proclamation, stating his determination to enforce the law to the letter at the end of two months from the period of its approval by the Governor. This step showed that he tempered his enthusiasm with discretion, justice, and right policy, giving ample time for rumsellers to dispose of their stock before it became subject to confiscation or seizure.

6. During this period of two months, the law being operative as soon as approved, the rum-shops rapidly diminished; and when the period of probation had expired, the mayor, ever true to his word, issued search-warrants for such places as were believed to continue the traffic. The first seizure was directed by the mayor *in person*. He was at the post of danger, if danger there was, to show that he did not fear the threats which had been thrown out, of personal violence, etc. About two thousand dollars worth (at market prices) of liquor was seized and openly destroyed. This proceeding was witnessed in respectful silence by a large concourse of persons. Where were "the brave defenders of the rights of the citizens and their firesides?" Where were the men who had declared death to the executors of the law? One courageous man and a few policemen put the law into execution, and no attempt even was made to carry the threats of those political demagogues into execution. From this time the most vigorous enforcement of the law excited no more attention than the enforcement of any other statute for the preservation of the public peace, and the personal attendance of the mayor no longer became necessary. The results of the first three months of Maine Law operations were published in an address to the citizens of Portland in September, 1851,* declaring that at that time there were no places where liquors were openly sold, and only a few where they were sold with great caution and secrecy.

7. About this time a tract was issued by the State Temperance Society, demonstrating the economy of the Maine Law,† showing that by a complete enforcement of the law four million dollars a year would be saved from the work of destruction, and applied to the promotion of health, comfort, education, and all the true interests of the people.

8. From all parts of the country good men looked on with interest to see what would come of it, and remarked, that the "Maine Law" (as that name was soon given to the measure

* See *Results of Prohibition in Maine*, Chap. II., Sec. 41–47.

† See *Results of Prohibition in Maine*, Chap. I., Sec. 43.

everywhere) would have fallen dead and been inoperative if NEAL DOW had not been mayor of Portland, and thus have been in a position to execute its requirements.

9. NEAL DOW's example was immediately followed by the mayors and municipal authorities of other cities and towns in the State, and thus the act was established as *a fait accompli.*

Chapter Seven.

In prosecuting this work Mr Dow has been possessed of the true spirit of the reformer. He has never sat down in despondency and brooded over evils as incurable. That trait has not belonged to him. Nor has he spent his time in cutting off the outer branches of the upas tree, and circumscribing its limits, but he has at once struck at the root, never fearing that in its sudden overthrow, with its trunk and mighty branches, it would involve him in destruction.—REV. DR. MARSH, of New York.

TERMINATION OF MAYORALTY.

Receives testimonial from the citizens of Bangor—Memoir in *American Temperance Magazine*—First six months' experience of Maine Law enforcement—"Carrying matters to an extreme"—Reasons for rigid enforcement of the law—Banquet at New York—Testimonial of the National Temperance Society—Preparations for Portland municipal election—Released from official duties—Tour in the Northern, Western, and Middle States, and Canada.

1. As a gratifying indication that his labors were being appreciated in other portions of the State, we may mention, that soon after the passage of the Maine Law, NEAL DOW received from some of the citizens of Bangor a beautiful silver pitcher, on which are exquisitely wrought, in high relief, the following appropriate devices: on one side the officers of the law are executing penalties upon numerous casks and packages of liquor, by pouring their contents out upon the ground, while on the background is a tenantless jail, and in the distance, prosperous commerce is represented by a ship under full sail. On the other side of the pitcher is a rural scene: a cottage embowered in a grove of trees, with a fountain of playing waters in front. Around the base, the handle, and top of the pitcher are wreaths and leaves

of flowers. The following inscription is exquisitely engraved on the pitcher:

PRESENTED TO

Neal Dow, Esq.,

MAYOR OF PORTLAND,

BY A FEW

OF THE

FRIENDS OF TEMPERANCE IN BANGOR AS A SMALL TOKEN OF THEIR REGARD FOR HIS VALUABLE SERVICES

IN

PROCURING THE PASSAGE OF THE LAW OF 1851,

FOR THE

SUPPRESSION OF "DRINKING-HOUSES AND TIPPLING-SHOPS."

2. On the 1st of January, 1852, there appeared in the *American Temperance Magazine* an excellent sketch of the life of NEAL DOW, from the able pen of Rev. Dr. MARSH, the Secretary of the American Temperance Union, and the distinguished conductor of the temperance movement in New York. From this sketch we have collected some of the facts presented in the present memoir, and hereby respectfully express our grateful acknowledgments for the same.

3. On the 15th of January, 1852, the mayor of Portland presented a statement to the Board of Aldermen* indicating the results of the first six months' experience of the Maine Law, from which it appeared that the law had been rigidly enforced and cheerfully and quietly submitted to by the people. That the wholesale dealers promptly abandoned the business, and all retailers who had self-respect pursued the same course. The results as to reclamation from intemperance, public health, peace, etc., were reported, together with the returns from the almshouse, house of correction, etc., which deserve special attention, as indicating the practical advantages resulting from the proper enforcement of the law.

4. While mayor he was indefatigable in bringing the secret

* See *Results of Prohibition in Maine*, Chap II., Sec. 58–82.

rumseller to justice, and thus the old cry was raised against him, that he was carrying things to extremes. Many excellent persons, who were really temperance men and his friends, feared he was carrying matters with too high a hand, and counseled more moderation. They said his course would stir up all the bad passions of bad men, and they would exert themselves to the utmost to defeat him the next year. His reply was, that such an opposition was inevitable and such a result probable. That if he should pursue the course indicated by them, not much would be accomplished, and at the end of the year the law would lose credit as a failure. But if he could succeed in extinguishing the rum-traffic, then whoever might be mayor, and whatever relaxation might ensue, the results of 1851 would stand as a demonstration of the power of the law when well enforced. How much the world is indebted to NEAL DOW for this determination to prove the efficiency of the prohibitory principle! No one can read of the results of this great experiment, carried on by NEAL DOW in the face of the opposition, not only of enemies, but of friends, without seeing that it was the only true course by which to succeed. Any compromise measure would have been fatal to the cause, and a failure in Portland would have had a most discouraging influence on the movement everywhere. But being so successful there,* its progress has everywhere been of the most marked and decided character.

5. By this time, and as the facts of the success of prohibition in Maine became known, NEAL DOW began to receive invitations to attend meetings in distant States, where the friends of temperance assembled to do honor to the man and to celebrate the triumphs of the cause, which he had so ably conducted to such unprecedented and unexpected victories. Among the meetings which he attended was one at the city of New York, on the 18th of February, 1852, in the Metropolitan Hall, where a magnificent banquet was given by the National Temperance Society. It was a company of elegantly-dressed ladies and gentlemen, such as New York might well be proud of. At this banquet,

* See *Results of Prohibition in Maine*, Chap. II., Sec. 36-113.

held in honor of the Mayor of Portland, General SAMUEL HOUSTON, the senator from Texas and hero of Texan Independence, on behalf of the National Temperance Society, presented him with a magnificent gold medal worth $100. The obverse of the medal bears as a device, a waterfall with an eagle hovering over it, and mountains in the distance. On the reverse is the following inscription:

PRESENTED
TO
Neal Dow
FOR
EMINENT SERVICES
IN THE
CAUSE OF TEMPERANCE,
NEW YORK,
FEBRUARY 13, 1852:

6. The termination of NEAL DOW's official term, and the election of a mayor for the year ensuing, next became a subject of solicitude among friends and enemies of the movement throughout the whole country. The Portland municipal election began to assume a national importance, and the result was looked forward to with the most intense anxiety. It was thought by the enemies of temperance, and particularly by the entire liquor interest of the country, that his defeat would insure the repeal of the law, and bring on a reaction in which rum would rule. Accordingly the most extensive arrangements and preparations for the election were made by those who engaged deep in the liquor traffic. Large sums of money were obtained from the trade in Boston, and considerable contributions from distillers and liquor-dealers elsewhere. Agents were employed to go through the interior towns and procure certificates from traders and others interested in the traffic, to the effect that the enforcement of the law had nearly ruined the business of the State, and that the traders in the interior were compelled to resort to Boston as a market town. Agents were also employed to go through the lines of railroads which were in progress, and arrange for the

Irish laborers to go to the city to vote. Many of these were brought to the poll who had no right to vote, but they did not hesitate to take the oath prescribed. Hundreds of naturalization tickets were brought from Boston and placed in the hands of Irish laborers and others, who personified those to whom the tickets had been originally granted. Several hundreds of these non-residents voted, and then vanished from the city. It was well known that NEAL DOW would have a large majority of the legal votes of the city, so that it was only by fraud, perjury, and false voting that he could by any possibility be defeated, and as these were employed extensively, that object was secured, and in April, 1852, he was released from his official duties as mayor of Portland.

7. With his usual tact in turning temporary defeat into permanent triumph, he took advantage of his release from the arduous duties of office, and devoted himself to the work of spreading "*the infection*" over the country, and made extensive tours through almost all the Northern, Western, and Middle States, and Canada. He was almost constantly absent on these tours, attending innumerable meetings of the people, so that the rum-sellers themselves said they had made a mistake in defeating him, as he had done vastly more mischief than he would have done as mayor. The success of his missionary efforts is indicated in the present feeling of the country on the great question of prohibition, and the extent to which it has been adopted as the law of the land.* He was everywhere hailed with enthusiasm as the acknowledged leader of the prohibition movement, and his popularity has gone on increasing with the triumphs of his cause, as State after State has added its tribute to his well-earned fame, by adopting his principles as its own by legal enactment. The "infection" is still going on. Already has it gone throughout the British Provinces and crossed the wide Atlantic, until wherever the Anglo-Saxon race is predominant the Maine Law is regarded as likely to become, sooner or later, the law of the land.

* See Map showing the extent of Prohibition in the United States.

Chapter Eight.

As to the call for the Maine Law, ask the first man you meet, and the next, and the next; ask the mothers of Maine, the wives, the sisters, the daughters. If the tears which the women of Maine have shed over their broken hopes and desolate hearths could have drowned the accursed monster, it would have been long ago swept away before a flood of bitter anguish.—L. M. SARGENT, ESQ.

NEW MAINE LAW.

NEAL DOW'S influence on the Massachusetts Legislature—Testimonial of New Jersey citizens—Succeeding municipal election in Portland—Banquet and presentation in Philadelphia—Portland municipal election of 1854—The moderate policy of the Portland executive—Expectations of the people.

1. As an evidence of the force of his reasoning we may mention, that on one occasion in 1851 there was a proposition in the Massachusetts Legislature to build a vast asylum in that State for inebriates. NEAL DOW wrote a short letter to one of the members, which was read on the floor of the House. It stated, that calculating there were 4,500 inebriates in the State, nine establishments as large as the hospital at Worcester would be required to accommodate them. That the cost of maintaining each inebriate would be $50 a year, making a charge of $225,000 for the inebriates and $1,108,000 for the buildings. But this would be no objection if it were effectual. When cured they would go out, and be drawn into places of temptation, to be maddened, crippled, and sent back again; and as they left or died, a new supply, created by the rum-shops, would come in to be taken care of or reformed by the State. "But what," it was asked, "can be done; shall we not have compassion on the inebriate?" "Yes," said NEAL DOW, "but take care of the country, and break up the business by which inebriates are made. Instead of imprisoning many thousands in magnificent hospitals, imprison a few dozen rumsellers in common jails, and your drunkards may go at large thoroughly reformed and no new ones made." This letter was a death-blow to the project, and Massachusetts has since acknowledged the force of the reasoning by adopting the suggestion, and thereby proved the truth of the prophecy.*

* See *Results of Prohibition in Massachusetts.*

NEW JERSEY TESTMONIAL.

2. On the 26th of January, 1853, there was a large gathering of citizens in the Methodist church at Trenton, New Jersey, on which occasion Rev. THEODORE L. CUYLER, now of New York, an able and distinguished preacher, and champion of temperance, presented to NEAL DOW a magnificent silver pitcher of the value of $200, bearing the following inscription:

RESENTED
TO
Hon. Neal Dow
BY THE
STATE CENTRAL COMMITTEE.
IN BEHALF OF HIS FRIENDS
IN
NEW JERSEY.
TRENTON, JANUARY 26, 1853.

The pitcher is eighteen inches high, standing upon a base with a Roman border, and covered with leaves, flowers, and fruits, all in high relief. On the right are barrels, bottles, and demijohns, all broken, and their contents running away, with *jets d'eau*, and trees, and foliage. On the left sits the Goddess of Liberty, bearing the arms of New Jersey in the same shield with those of Maine. In her right hand she holds aloft a liberty pole and cap, and at her feet are the *fasces* and axe. She sits in a posture of great dignity, her hair and robes flowing freely and gracefully, and smiles wreathe her features as she observes numerous officers of the law executing its penalties upon puncheons and barrels of liquor, the heads of which they break in with great hammers, while their contents overflow the ground. She is overarched by oaken trees, and is surrounded by foliage. In front is a shield, on which are balances and the inscription, "*Salus Populi Suprema Lex.*" The handle is surmounted by a spread eagle bearing the national arms on a shield, while the national flag falls around in graceful folds. All the ornaments and devices are in alto relievo, and are executed in the most perfect manner, credit-

able to the designers, and forming a noble specimen of American art.

3. The municipal election in 1853 was similarly carried to the former. Not that the mayor whom they elected was not a temperance man; no force or fraud could have elected a decided member of the rum party, but by supporting reputed temperance men, they accomplished their main object, which was to defeat NEAL DOW. Poor deluded victims of infatuation! they knew not the strength of truth, nor of the man whom they attempted to defeat. They thought they would annihilate the movement by this trickery and injustice. But their petty triumphs only gave opportunity for the cause to grow in the affections of the people, and the results of their inroads upon law and order only tended to increase the friends of temperance. Although open violation of the law was seldom resorted to in Portland, yet clandestine sales were doing a work of death and destruction during the laxity in the execution of the law which followed the termination of NEAL DOW's mayoralty. The rum organs throughout the country endeavored to make capital out of these circumstances, in order to show that the Maine Law was a failure in its own home. But all who understood Maine politics and the tactics of the Portland rum party, knew well that the law, where and when properly enforced, accomplished all that was expected of it by its originator, and that its secret violation was the result of a non-enforcement of the law.

4. The friends of temperance, however, throughout the country knew how to regard the assertions of the rum-prints, and how much credit could be attached to them. NEAL DOW was a welcome guest wherever he went. On the 20th of January, 1854, a magnificent banquet took place at the hall of the Chinese Museum, Philadelphia, where upward of 1,500 ladies and gentlemen assembled to do him honor. Judge KELLEY presided. After a few happy and appropriate remarks by the Judge, which elicited at intervals enthusiastic applause, the Rev. Mr. CHAMBERS rose for the purpose of presenting Mr. Dow a magnificent service of silver, which rested upon a table in the center of the

platform, in full view of the auditory. The presentation was made in Mr. CHAMBERS' usual felicitous manner, and responded to by Mr. Dow in a speech expressive of his thanks for the honor conferred upon him by his Pennsylvania friends, and full of information in regard to the progress in the United States of the temperance cause. The cost of the plate was over $500. Several speeches succeeded, interspersed with music from a rich brass band. The banquet and presentation were not only highly complimentary to Mr. Dow, but to the ladies and gentlemen who were engaged in it. Rev. Dr. MARSH, who was present, makes the following observation in relation to the banquet:

> O, how much more becoming, we said, is this to a Christian people, than great banquets and presentations to men who have invented some new instrument of human destruction, or led armies to glory through rivers of blood. There stood before them a meek, humble man, who had taught nations how to have no poor; almost no crime; no jails and penitentiaries, or hospitals for drunken maniacs; and how to save enough year by year almost to sustain all their civil and religious institutions. Well might they give honor to NEAL DOW.

The service is of massive silver, beautifully wrought, and chased and embossed, all in the highest style of art and workmanship. It bears the following inscription:

PRESENTED

TO

Hon. Neal Dow,

AUTHOR OF THE

MAINE LIQUOR LAW,

BY HIS

FRIENDS IN PENNSYLVANIA.

JANUARY 20, 1854.

5. The election of mayor in 1854 was in favor of a gentleman who had been unfortunate in business, and as a salary is attached to the office, the citizens elected him as a mark of respect and as a means of assisting him in his misfortune. He was a reputed temperance man, but in order to prevent the election of

NEAL DOW, the rum party were glad to support him. During his mayoralty, however, the "moderate policy" of the city executive, which had been tried for nearly three years, had fallen into disfavor with the citizens. It was, consequently, the almost universal expectation of the Portland people that NEAL DOW would be elected mayor at the then coming election, 1855, without opposition. That event, however, was a much more signal victory than it could have been without a contest, as will be presently seen.

6. NEAL DOW had closely and carefully observed the workings of the Maine Law: its evasions and its successful enforcement in various parts of the State. It had been also adopted, in principle at least, in Connecticut, Massachusetts, Michigan, Rhode Island, and Vermont with varied success. It had passed through the ordeal of courts, where judges and counsel used their best tact and talent to prove its inefficiency or its inconsistency with the constitutions of the several States. From the experience thus acquired, he determined upon certain improvements in order to render the Maine Law more stringent, so as to meet the requirements of the case. He well knew that the people and their representatives at the State capitol would readily adopt any measure he might deem necessary to the complete extirpation of the rum traffic. He therefore prepared a draft of a new bill embodying these improvements, and making the law more stringent than ever. This bill passed the Legislature, and was signed by the Governor on the 16th of March, 1855, to take effect on the 1st of May following.

Chapter Nine.

There is no man in the State whom it takes so many votes to elect or defeat as NEAL DOW. If he will accept the office, the people will make him Governor of the State, as successor to the present incumbent.—*New York Independent.*

RE-ELECTION AS MAYOR.

Preparations for the coming contest—The coalition of parties opposed to NEAL DOW—The "cold-water army"—Prepared for the conflict—The Board of Aldermen—The gentleman from Boston—Mr. SANBORN votes himself a seat—New law in regard to voters—Attempt to violate the law by Mr. SANBORN and the liquor aldermen—Noble resistance of the three temperance aldermen—The Board adjourns without doing any business—Morning meeting—Another attempt to violate the law—Names smuggled on to the list of voters—List of voters adopted under protest—Triumphant election of NEAL DOW—National interest in the subject.

1. As the period (April 3, 1855) for electing a mayor of Portland drew near, such was the universal sentiment among the respectable citizens as to the certainty of NEAL DOW's election unopposed, that no arrangements were made for a contest by the temperance party until within a few days of the election. The first indication of a contest made its appearance about ten days before the day of election, in the form of a call for a public meeting, issued by Mr. POORE, a Whig, of the *State of Maine* newspaper, with signatures attached to it by citizens, many of whom were known to declare subsequently, that when they signed the call they did not know that the meeting was intended to oppose Mr. DOW's election. The meeting was called, and Mr. MCCOBB was nominated as the candidate, on what was called the "people's ticket." The next step was to secure the support of the remnant of the "Old Line Democracy," and accordingly a meeting of the Democrats was called, and the MCCOBB nomination was adopted by the office-holders of the custom-house and such as desired to carry favor with the administration at Washington, with a view to future patronage. The "Honorable Rum Party," as they have called themselves, therefore consisted of rum-loving Whigs and Democrats, place-holders and place-hunters, all well backed by Boston liquor-merchants and "the trade" of all political complexions.

2. The "cold-water army" were soon on the alert. They had gained too much experience at former elections to allow the tricks of professional politicians to any longer defeat the real wishes of the citizens. The lodges of the Native American party happened to contain a majority of temperance-men, and consequently they all joined in the support of NEAL DOW, and in opposition to the foreigners and Catholics who were mostly on the side of rum. In this way the two opposing parties fortified themselves for a conflict which was to decide whether law and order should be observed in the city, or whether rum was to be again allowed to rule and desolate the homes of the citizens. Never was there a more momentous and stirring question to be decided by an election. The people felt its importance, and every body took one side or the other. Such was the condition of parties just prior to the election.

3. The Board of Aldermen, under "the moderate policy administration," was composed, after the election of 1854, of the following citizens:

Ward.	Name.	Politics.
1....	Mr. S. L. CARLETON	Temperance.
2....	" H. A. JONES	"
3....	" G. W. WOODMAN	Liquor.
4....	" RUFUS E. WOOD	"
5....	" OLIVER L. SANBORN	"
6....	" NATHAN CUMMINGS	"
7....	" HIRAM BROOKS	Temperance.

On the 1st of December, 1854, Alderman O. T. SANBORN, of the Fifth Ward, left Portland to reside in Boston, and from that time until the day before the election, he did not appear in his seat on the Board. It had been announced in the papers that he had become a member of the firm of SANBORN, CARTER, BAZEN & Co., publishers of Boston, and the Mayor had repeatedly stated that his seat would be vacant until the election, as he had ceased to be a resident of Portland. The Assistant Assessor, on going round to obtain the names of voters, had been to Mr. SANBORN's former place of residence, and was told by persons living there that Mr. SANBORN had removed to Boston. He accordingly re-

moved that gentleman's name from the list of voters. This left the Board of Aldermen, as will be seen from the above list, equally divided on the question of temperance. On the day before the election a meeting of the Board took place, when, to the astonishment of the three temperance Aldermen, Mr. SANBORN, the gentleman from Boston, took his seat as an Alderman of Portland.

4. Before the motion to proceed to business was put, Alderman CARLETON rose and objected to Mr. SANBORN having his seat, and gave as his reasons the above statements, adding, that the *Eastern Argus* had expressed its regret at the loss of so good a citizen, and that by common consent Mr. SANBORN was no longer a citizen of Portland, and consequently could not be an alderman. For the sake of bringing the matter before the Board, Alderman CARLETON moved that Mr. SANBORN be allowed to take a seat, but stating that he intended to vote against that motion. Alderman WOODMAN made a motion to lay the whole subject on the table, which was carried by Mr. SANBORN'S vote, that gentleman thereby virtually voting himself to the seat he had so long vacated.

5. The doors were then opened, and in rushed a mass of foreign immigrants to present their claims as voters. Now it must be understood that a law had been enacted in the last Legislature, and approved on the 17th of March, which provided that no persons shall be allowed to vote except those who shall present their naturalization papers to the Board of Aldermen *three months* previous to an election, and their names recorded in a book kept for that purpose. The view taken by the temperance friends was, that all who had been naturalized since the 17th of March had no right to vote when the law was passed, and therefore could not vote at the present election, which was not *three weeks* after the approval of that law. In this opinion they were sustained by the best lawyers in Portland. It appeared, from the lists of applicants in the hands of the Aldermen, that of two hundred and twenty persons, mostly foreigners, about sixty had been naturalized since the 17th of March, and consequently there was good

ground for objection to such applicants being received as voters. The custom had always been to consider the claim of each applicant *separately*, and to take a vote on every one as to whether his name should be placed on the list of voters or not. In the list before the Board there was one name of a person who, on undoubted testimony, was known to have been at the State Prison; and there were several names of persons known to be paupers, besides many whose families resided out of town, all of which, in addition to the sixty above named, were clearly not entitled to vote at the coming election. Under these circumstances the gentleman from Boston moved that the whole two hundred and twenty names be placed upon the list of voters! This was not only before any scrutiny had been instituted, but before even the list had been read over. Alderman CARLETON moved, as an amendment, to strike the first name off the list. The chairman (Alderman CUMMINGS) decided the amendment out of order, without stating the ground of that decision; but notwithstanding this he put the amendment, and declared it not a vote. On the yeas and nays being taken, however, it appeared a tie, and the casting-vote of the chairman rejected the amendment. Alderman CARLETON then moved that the Board adjourn, which the chairman declared to be out of order, and that he would not entertain the motion any way! Alderman CARLETON appealed from this decision, and on the discussion of this motion Alderman WOOD proceeded to read the rules, which, as he thought, would sustain the chair, but, unfortunately for his argument, the very rule which he read proved the motion to be *in order;* and so perfectly ridiculous did he appear, that the gravity of the Board was completely upset, both sides joining in the laugh. Alderman CARLETON and his two brave colleagues then maintained, and continued a series of motions to adjourn over to a certain period, to adjourn, etc., so as to prevent any further business being done. These motions were repeated about three hundred times. Time having been killed in this way until half-past eleven o'clock at night, the friends of liquor thought it was best to come to some sort of understanding. They wanted to know

if Alderman CARLETON would be satisfied to put the names on to the list one by one. Alderman CARLETON replied, "No, sir, not another thing will I consent to do to-night. If you want to stay here till to-morrow morning, God has given me a pretty good constitution, and I will be with you. If you choose to inflict it upon me, so be it upon your own heads." At last they concluded that it would be better to concur in the motion to adjourn. Then the question was, at what time should they meet in the morning? which, being the day of election, and voting to commence at sunrise, was rather an important question. Alderman WOODMAN moved that when the Board adjourn, it adjourn to meet at eight o'clock the next morning. "Not one bit of it," replied Alderman CARLETON, who had remained standing throughout the proceedings. "You may meet at eight o'clock and make as many motions as you please, but the Revised Statutes points out my duty to be, to be here at nine o'clock, and what you do before that hour you do at your own peril." When the aldermen in the liquor interest saw their predicament, their conduct toward Alderman CARLETON and his friends all at once changed from the harsh sternness of political opponents to the courtesy and obsequiousness of pretended friends. They saw that their effort to divert the temperance men from their purpose was in vain, and they then tried what smooth words and bland smiles would do; but there was too much "backbone" in Alderman CARLETON and his two colleagues to be overcome in this way, and they stood their ground against the majority with the firmness and courage of men who had a great principle to serve. The Board adjourned without accomplishing any of the business for which they had met.

6. The next morning the Board met at nine o'clock. It was found that several names had been entered on the list of voters, in the confusion of the previous meeting, which had not been voted upon by the Board, and which, consequently, were smuggled there. Among those names appeared that of OLIVER L. SANBORN, who had, for more than four months, ceased to be a resident of the city.

7. Mr. O. L. SANBORN renewed his motion to enter the whole 220 names on the list. Alderman CARLETON again moved an amendment, and the chairman actually refused to entertain it, and after some discussion, addressing Alderman CARLETON, he said, "I will not entertain any motion you make." After some twenty motions had been made, all of which were perfectly in order, the chairman refused to put any more motions of the kind, and the aldermen from the Third, Fourth, and Sixth wards, as well as the gentleman from Boston, who had the list of the Fifth Ward voters, proceeded to record the applicants of their respective wards. The temperance aldermen were next called upon to do the same with their lists, but they refused to do so, except with regard to the names of such persons as were qualified to become voters, excluding, of course, all who had become naturalized since the 17th of March, and such others as were otherwise disqualified. The three temperance aldermen refused to certify to the list prepared by the three liquor aldermen and the gentleman from Boston.

8. The lists were sent out to the several wards, and soon after, those persons who had been naturalized since the 17th of March, having discovered that their names were not on the list of voters, came personally before the Board of Aldermen. The three liquor aldermen and the gentleman from Boston then proceeded to examine each case, and from the simple statement that they had appeared the day before at the Board meeting, it was moved that each one be allowed a certificate, which motion was declared carried; but the yeas and nays were called, and the business otherwise delayed by the tactics of the temperance aldermen until about three o'clock in the afternoon. It was then suggested by one of the liquor aldermen that certificates be allowed to the applicants, accompanied with the direct protest of the three temperance aldermen. This was all that was desired by the latter, and accordingly the whole list of applicants was entered, under said protest, so that had the election been decided against them, they had their remedy in law, as well as the determination to avail themselves of it.

9. Notwithstanding all these disgraceful proceedings, and the contest being carried on with great spirit in every ward; notwithstanding the thousands of dollars which had been expended in bringing men from distant parts of the country, and of the stratagems which unprincipled rumsellers can resort to, the election proved a complete triumph for NEAL DOW and his friends. We have been told by voters in Portland, that at least two thirds of the legal voters of the city are decidedly in favor of NEAL DOW, and had it not been for the large number of illegal voters, his majority would certainly have been very great.

10. The interest with which the intelligence was received throughout the country will be long remembered. At twelve o'clock on the night of the election, the news had reached by the electric telegraph as far as New Orleans, and the newspapers all over the country announced the event as a significant triumph. We could give abundance of evidence as to the approval with which this result was received by the press and the people, but the following from the New York *Tribune* must suffice:

A MIRROR WHICH SHOWS THE FUTURE.—NEAL DOW, author of the original "Maine Law," was chosen mayor of Portland, Me., a little before said law was enacted. Of course he distinguished himself by his efforts to uphold and enforce it, and the rum influence made a desperate rally next spring, and ousted him. Last spring the prohibitionists tried to reinstate him, but failed by a small majority. *This* spring they have tried again, and succeeded. See the vote in the first and last of these three trials:

	1852.		1855.	
	Dow.	Parris.	Dow.	McCobb.
Total	1,496	1,900	1,896	1,829
	Maj. against Dow...404.		Maj. for Dow..67.	

This, you will perceive, is the vote of a *city* only, and a city which has done a large business in rumselling. In the former instance the Portlanders had just tried a stringent enforcement of the Prohibitory Law, and decided to relax; now they have tried out the free-and-easy policy, and decided to return to NEAL DOWISM. Will those who are so stoutly predicting the speedy repeal of *our* Maine Law just consider these facts? Rely on it, they *mean* something.

11. At public meetings held subsequently in the city, the three temperance aldermen, whose doings on the Board had become

the universal topic of conversation, were received with the most enthusiastic expressions of approval, showing that the people appreciated their manly courage in maintaining the rights of the citizens to control their own elections, against the iniquitous attempt to invade those rights by bringing in foreigners and persons otherwise disqualified as voters.

Chapter Ten.

The man who shall invent a really efficient antidote to this system of voluntary and daily poisoning, will deserve a high place among the benefactors of his race.—*London Times.*

We can propose the antidote. We can name the man who has invented it. "People of the State of Maine! God of heaven bless you!" Noble-minded Dow! God of heaven bless thee! I would rather be that man than any man I know this day upon the face of the globe.—REV. DR. TYNG, of New York.

THE CONSPIRACY, AND ITS FAILURE.

The Mayor's inaugural—Performance of official duties—The new police court and its effects—Smuggling liquor into Portland—Quarterly engagements with the police—The distress of the rum politicians—The plot—Establishment of a city agency—Prosecution of NEAL DOW—The conspiracy becoming manifest—The riot—The ringleader shot—The riot long projected—Precedents of the ringleader—Conduct of the officials and authorities—Scandalous reports in the rum organs—The trial and acquittal of NEAL DOW—The authorities justified by the inquest—Testimonial to NEAL DOW from the ladies of Bangor—NEAL DOW indorsed by the N. Y. State Temperance Convention, the Maine State Temperance Convention, and by public opinion in his own city and throughout the country.

1. THE inaugural address of Mayor Dow contained a comprehensive view of the commercial, educational, and moral condition and prospects of Portland, referring to the Liquor Law in the course of the address merely as one of the important features which called for the action of the municipal authorities. This was received by citizens generally with much satisfaction, as an indication that their mayor was determined to follow the same course of devotion to the general interests of the city as had characterized his former mayoralty.

2. NEAL DOW was now again at his post of honor and of duty, and the *secret* rumsellers of Portland—for there were no others

in the city—soon began to wince under the keen scrutiny of his withering glance; for although to the reformer his countenance is full of ardent enthusiasm and philanthropic zeal, that very enthusiasm is a terror to evil-doers. There is in the mild sarcasm of that open, intelligent, and manly face a meaning and determination of purpose which the rumseller reads at a single glance, and he sees at once that there is no hope for his traffic under the administration of such a man. In the performance of his duties as mayor he assumes no aristocratic dignity; but with the republican idea predominant in his mind, as he sits in his chair of office, he has a shake of the hand and a "How do ye do?" for every citizen; and it is no uncommon thing for him, even during official hours, to forget for the moment that he is "the mayor," and yielding to the strong impulse of his friendly nature, he quits his seat, and quickly steps from his dais to grasp the hand of a friend. In whatever position he may be, he never forgets that he is a man, and the warmth of his feelings and the depth of his spiritual nature are never sacrificed to the, to him, lesser dignity of official authority. In the disposal of the business of his office, however, he does not allow the claims of friendship to interfere with those of justice, and he steadily maintains the even balance of the "Blinded Goddess." From nine o'clock A. M. until near noon he sits in the mayor's office to hear every variety of complaint, and refers each applicant to the proper officers for relief, or explains the course by which to obtain redress. When a poor wanderer tells his tale of want and distress, he quickly discovers whether the applicant be a victim of the rum traffic, and tells him plainly, with a reproof he can never forget, the cause of his suffering, and prescribes total abstinence as the only remedy. No man, under such circumstances, goes from his presence without receiving a word of wisdom and a look of sympathy such as strikes deeply into the heart. The amount of business which he gets through in a single forenoon, and the numerous cases of difficulty which he adjusts by his prompt and decisive action, would astonish an ordinary magistrate; and yet there seems to be no point of importance which he does not take

into consideration, and no particular which he does not understand, so that few can complain of his decisions.

3. Up to this period there had been a municipal court, the judge of which had a permanent appointment, and he being unfavorable to the Maine Law, had frequently given decisions calculated to weaken the power of the law in the city. The friends of temperance, seeing that liquor was being brought into the city and disposed of in violation of law, as a result of this partial court, had resolved to effect a change. A law had been passed in compliance with the wishes of the citizens of Portland abolishing the municipal court, and establishing in its stead a police court. This law came into operation in May, 1855, and Mr. CARTER was elected as a judge upon whom the people could depend for the enforcement of their laws. The new Liquor Law coming into operation at the same time, the few persons who had commenced the sale of liquors under the jurisdiction of the judge of the old municipal court were brought to justice. They were found to be, without exception, Irishmen, no established American citizen—to their credit be it said—having been known to violate the law. These Irishmen had resorted to various methods to avoid detection; some had even buried the liquors in the earth *below high-water mark*. The police, under Mayor Dow's direction, discovered the places where the liquors had been concealed, and unearthed them. The police also brought to light various methods of secretly conveying liquors into the city, such as concealing liquor within casks of sugar or flour, or in boxes stuffed round with sawdust, and other smuggling schemes. The open importation of liquors, except for agencies, ceased with the operation of the new law. The sales of liquors became so few and secret under this law that little or nothing could be seen of them.

4. One of the first actions of the city council, after the election, was to order the employment of policemen under quarterly instead of annual engagements, so that any member of that force who should neglect to perform his duty, would be subject to removal at the end of the quarter, without the odium of a dismissal

being attached to him. This appears to have had the desired effect of inducing the men thus engaged to be vigilant in the execution of their duty.

5. With a police court and an impartial judge, a mayor whom every body knew would see to the proper execution of the law, and a corporation to sustain him in his course, there is no wonder that there should be a feeling of distress and bitterness of spirit felt by the "old line politicians;" and now that all hope of beating down NEAL DOW by the usual tactics were destroyed by this last victory, a new idea appeared to seize this "Honorable Rum Party." (Chap. IX., Sec. 1.) They determined by secret conclave to take the first opportunity of raising a mob in Portland, so as to render bloodshed necessary, and then to throw the odium upon NEAL DOW, and by that means secure a reaction in the public mind, such as would destroy the influence of NEAL DOW and the power of the Republican party. This plot was arranged early in May, and for several weeks NEAL DOW was watched as a wild beast watches its intended victim, but with more stealth and less honesty. NEAL DOW, however, was guarded; for with all the cry of "rashness" and "impetuosity" which his enemies have raised against him for his prompt manner of doing business, those who know him best know that he is the last man to do any thing without proper legal authority. No opportunity, therefore, occurred for his enemies to accuse him; and to seize at a circumstance which appeared likely to cause a riot, they blindly went to work, thinking to accomplish their purposes, reckless of the consequences.

6. It appears that, pursuant to the thirty-first section of the new Liquor Law, the following orders had been made by the Board of Aldermen:

May 3, 1855.

On motion of Alderman THOMAS—

Ordered, That the Mayor and Aldermen be authorized and empowered to use the shop under the City Hall, now occupied by Messrs. WAITE & BUTLER, for the accommodation of a City Agency for the sale of alcoholic liquors for medicinal and mechanical purposes, in accordance with law.

At the same meeting the following order was passed:

CITY OF PORTLAND.

IN BOARD OF MAYOR AND ALDERMEN, *May* 3, 1855.

Ordered, That the Mayor and Aldermen CARLETON and BROOKS be a committee to arrange for the establishment of a City Agency for the lawful sale of spirituous liquors, wines, etc., for medicinal and mechanical purposes, under the provisions of an act entitled "An act for the suppression of drinking houses and tippling shops," passed at the last session of the Legislature, and approved March 16, 1855, and also to propose and report to this Board such rules and regulations as may be necessary for the government of the agent hereafter to be appointed, and such compensation for his services as they may deem suitable.

Read and passed. Attest: WM. BOYD, *City Clerk.*

The Mayor, acting as chairman of the committee on which he had been appointed, ordered liquors to the value of $1,600 for the City Agency. It will be seen by reference to the act that the law requires that the mayor should be one of the committee for this purpose, so that it was no unusual course that he should act in this capacity. It soon after became known that a number of barrels of liquor had been received in compliance with the order of the Mayor. The parties to the conspiracy before mentioned thought this a favorable opportunity; but before they could turn it to their purposes, they were obliged to invent a false statement. On Saturday, June 2d, 1855, in professing to give an account of a conversation held between Alderman RING and Mayor Dow, the *State of Maine* newspaper contained the following words:

Mr. Mayor Dow replied that he had purchased them; and in answer to sundry other questions from the same source [Alderman RING] stated that *he paid* $1,600 *for them*—that they were *private property and did not belong to the city*—that they were *liable to seizure as being a larger quantity than one man could require for medicinal or mechanical purposes.* No appropriation, however, was made for the purchase of the liquors *now in* Mr. Dow's *possession*, and *he still remains the sole owner.*

This invention of the enemy in connection with violent appeals to the passions of the lowest portion of the Irish population who had been deprived by the Maine Law of the opportunity to gratify their love of whisky, and the attacks which had appeared from time to time on the character of NEAL DOW in the *State of*

Maine and the *Argus* newspapers had the desired effect of raising a feeling of hostility. This class of people were thus actually led to believe that NEAL DOW had bought these liquors for his own private speculation and aggrandizement. They therefore determined to seek revenge by taking this opportunity to prosecute the Mayor under the very act he had been chiefly instrumental in framing.

7. Accordingly on the afternoon of the same day that the above statement appeared, a man named ROYAL WILLIAMS, in company with two other enemies of the law, appeared at the police court and made affidavit, after some little hesitation, that Mr. Dow had these liquors in his possession, as they had reason to believe, for the purpose of "selling them in the State in violation of the law." If they did not believe this they committed perjury, as no warrant could be obtained without affidavit to this effect. There were about fifteen well-known opponents of the Maine Law in the court, showing that this was a concerted arrangement. There were also at the court this afternoon three cases of trial for liquor-selling, and as the defendants in every case were Irish, it was an easy matter to excite in the minds of their "countrymen" a desire for revenge. This, then, was an excellent opportunity for the disappointed politicians of Portland to carry out their desperate designs against NEAL DOW.

8. The judge issued a warrant as he was legally bound to do after such an affidavit and complaint had been made, and handed it to Deputy-Marshal RING, who happened to be present at the time, with orders for him to execute it. It appears that these warrants have always invariably been given either to the city marshal or to his deputies in preference to any other officers, because, being on regular salaries, they made out their costs to the city instead of having them accrue to themselves, as would be the case with other officers. By employing the city marshal, therefore, the city treasury is benefited. Notwithstanding this fact the applicants appeared to be greatly dissatisfied at the warrant being given to officer RING, as it appears they desired that some person who would be more likely to do their bidding instead

of acting under the direction of the judge, should receive the warrant. The principal applicant, ROYAL WILLIAMS, then stepped forward and demanded the warrant. The court informed him that it was given in the usual manner into the hands of a competent officer who would no doubt properly attend to its execution. He again made application for the warrant, asserting his right to it as one of the complainants. He was told that he had made his complaint, taken his oath, affixed his signature, and there was no more for him to do until trial. WILLIAMS then demanded the warrant of officer RING, who referred the matter to the court, and the latter made the same explanation as before. WILLIAMS then began talking in a boisterous manner, but was informed that he would be expelled from the court-room unless he desisted. The complainants and their friends soon quietly disappeared. Officer RING then went to the cellar of the City Hall, where the liquors were deposited, and took possession of them under the warrant. He would have arrested Mayor Dow on Saturday afternoon if there had been time for trial. WILLIAMS had suggested to the court that ample time should be given for trial. As soon as the officer arrived at the City Hall, a large crowd began to assemble around the building with all the demonstrations of disturbance. They were mostly Irish, and active among them were many of those who had been hanging round the court-room in the afternoon. At the fact of officer RING having the warrant, they manifested the same indignant disappointment which had been displayed by the complainants.

9. It was not thought at the time by the authorities that any movement would be made by such persons beyond an attempt to destroy these liquors by due process of law. The observance of the law, however, was not what they desired. It had only been a plea to raise a disturbance. But late in the afternoon intelligence was communicated to the Mayor and aldermen that an extensive combination had been formed, and that arrangements had been made to assemble a mob for the purpose of breaking into the City Agency and destroying the liquors therein contained. At the time of this communication large

numbers of excited persons were assembled around the City Hall, in which the Agency is located, demanding that the liquor should be brought out. The Mayor and aldermen did not at that time apprehend that any mob would or could be raised in the city, which it would be beyond the power of the ordinary police force to quell; but early in the evening they thought otherwise. The city marshal with a few policemen, some of them with revolvers, and some of them without arms, were directed to enter the room and defend it to the last extremity; and the rest of the police force were directed to do their utmost among the mob to disperse it, and to identify as many as possible of the active persons composing it. The Mayor and several of the aldermen being at the mayor's office, which is a small new building beside the City Hall, in the evening were warned by repeated and urgent messages that the mob was collecting in great force, exhibiting every appearance of savage ferocity. Messages were then sent to the commanding officers of the Light Guards and the Rifle Guards, and a formal demand was made upon them for their assistance, which, for a consideration in money, they had agreed with a preceding administration to render, as an armed police, whenever they should be called upon by the city government for that purpose. Those companies were called together hastily at their armories, and were visited there by the Mayor and some of the aldermen, and formal demand was made upon them for their services and assistance in quelling the mob, as an armed police force, or as citizens in arms, according to their agreement with the city government. The Rifle Guards, first visited, had neither ammunition nor caps; and none suitable, after many efforts and much delay, could be procured in the city. While the officers of the Rifle Guards were actually employed in the effort to procure the necessary munitions, the Mayor and some of the aldermen repaired to the armory of the Light Guards, situated in the third story of the City Hall. The members of the company were there assembled in force, and an appeal was at once made to the captain to form and march out without delay. He also was without cartridges,

but was told that the appearance of his company in full rank and with determined front and with bayonets would be sufficient. The captain thought otherwise, and declined to expose his command to the fury of the mob without cartridges. During all this time were heard from below the ferocious sounds of the mob, the clatter of stones and other missiles, the rattle of broken glass, and the crash of breaking blinds, shutters, and doors. After some delay cartridges were procured and the muskets were loaded, when about twenty-four men only fell into the ranks with shouldered arms. Again the captain protested against exposing so small a force to the fury of the mob; he did not feel himself justified in so doing, but the reply to him was, that half of them would be sufficient if they were brave and true men. At the word the men marched out, with the captain, Mayor Dow Aldermen BROOKS and CARLETON at their head; but some of the number fell out of the ranks on the way down the stairs and through the crowd. The Sheriff of the County preceded them in the march, and stepping out in the crowd, commanded the people in the name and by authority of the State to disperse, assuring them they otherwise would be fired upon. But he was answered only by jeers and savage brawls from the mob. The Sheriff repeated his command several times, and his voice was distinctly heard at the corner of Preble Street.

10. The marshal then gave orders to the police to keep on either side of the door, so as to be out of reach of any stones that might come in, and not to fire their pistols until some one should attempt to enter. In the mean time, the marshal repeatedly cautioned the mob to desist upon peril of their lives, and in the course of the evening they were ordered to disperse by the Sheriff of the County and also by the Mayor. At length, one man who appeared to be a ringleader in the mob came to the door, swearing horrible oaths, and using most insulting and violent language toward the police in the room. He called them "a pack of d——d cowards," challenged them to fire, and taunted them by saying that they did not dare to fire. Then he harangued the mob, urging them to come on, assuring them that

there was no danger; that the police were cowards, and had only blank cartridges, and dared not fire upon them if they had. The marshal again warned him upon peril of his life not to attempt to enter the room. But, under his leadership, the mob made a violent rush for the door, which, however, proved too strong for them. The police then fired, but intentionally aimed over their heads, hoping to frighten, and thus avoid the necessity of killing. This checked them for a few minutes; but the same voice was again heard rallying the mob, assuring them that nobody was hurt; that they were "only blank cartridges," etc., etc., and another rush was made for the door, the leader reaching in and attempting to unbar it. The police then fired with effect. The ringleader just referred to, named ROBBINS, fell dead or mortally wounded close by the door. Prior, however, to this firing by the police, the Light Guards, or a portion of the company, marched through the crowd and took a position in front of the door on Congress Street, when the mob began to pelt them with stones, and several of the soldiers were severely injured. After this the crowd was several times commanded by Mayor Dow also to disperse, with the assurance that otherwise they would be fired upon. Their only reply was with groans, howls, and showers of stones. By these they were pelted incessantly, and several members of the Guards were struck, and some of them badly hurt, while the missiles were falling around in every direction, in their rebound from the walls of the building. Again the captain protested against this exposure of his men to the fury of the mob, and feared some of them would be killed if the order were not given to fire. He was told that they, the authorities and the men, all shared the danger alike. After a little further delay, and another command to the crowd to disperse, which was received as all the others had been, the order was given to the captain to fire by sections from the left. The order was repeated by the commander, and while the arms were at present, the captain asked if he should fire. Mayor Dow replied, "Wait a little." He thought that the order to fire would terrify the mob, but the shower of missiles continued as before, with

every expression of rage. As soon as the men recovered arms without firing, they began to drop off from the left, two men, badly hurt, being carried off the ground where they lay, by their comrades, until not more than six or eight muskets remained. The captain was assured, as he had been before in the armory, that he would be supported by the Rifle Guards, who were every moment expected. When his numbers were so greatly reduced, the remaining force filed off around the east end of the City Hall, away from the mob, and marched down Middle Street toward the armory of the Rifle Guards. Near the foot of Free Street they met that company marching up in double files, when they fell in on the right, and the order was given to quicken the step. At this moment Captain ROBERTS informed Mayor Dow that his rifles were empty, and he had no bayonets; he had not been able to find either balls or caps to fit. Mayor Dow communicated this to the captain of the Light Guards, and instructed him to take the Rifle Guards into his armory, and arm them with his muskets. Hither they accordingly repaired at quick step.

11. On arriving at the armory, an attempt was made to throw difficulties in the way of their taking the muskets, but they were peremptorily demanded, and Captain ROBERTS of the Rifle Guards, immediately upon receiving the order, marched his men into the armory and exchanged his rifles for the muskets. A further delay now occurred in procuring ammunition. A few cartridges were secured which were lying on the table, and a demand was made upon the captain of the Light Guards for those which his men had. A few cartridges only were recovered. In the mean time the roar of the mob, with the rattle and crash of missiles and the occasional volleys of pistol-shots from the police, came up in mingled confusion from below. At this juncture Alderman LIBBEY came into the armory from the street and said: If any thing were to be done, not a moment should be lost; that the police could not hold out five minutes longer, but would fall a sacrifice to the fury of the mob. The Light Guards were then called out to join the force, and one of them fell into

the ranks, with two or three other citizens who came forward and volunteered to take muskets, when they all marched down, Mayor Dow sending forward a warning of their coming. They filed down the steps into Middle Street and entered the doors of the Agency on that street, and one of the Guards was struck in the forehead and badly hurt as they entered. The voice of the infuriated mob outside and at the door on Congress Street drowned every other sound; nevertheless they were warned that they would be fired upon, and three or four volleys of four shots each were fired. The gas was then lighted in the store, by which the persons there were exposed to the missiles of the mob, and to protect the members of the Rifle Guards and the police from being struck by these, they were drawn out of the building into Middle Street, the door being open, and the mob on Congress Street was warned that any person attempting to enter would be fired upon, the mob having broken open the doors, which they had been battering for more than two hours. The mob and the armed force maintained this attitude for a considerable time, an occasional stone being hurled through the building from Congress Street. But the greater part of the mob withdrew soon after, and the remainder were driven out of the streets by the bayonet. The firing of the Rifle Guard was at five minutes past eleven o'clock, and the building was attacked as early as half-past eight. Information was brought to Mayor Dow by several persons that the mob had retired with loud threats, and with the intention of procuring arms and returning to the conflict. Messengers were immediately dispatched in different directions with instructions to visit the haunts and purlieus of the rioters, and to bring instant intelligence of any appearance of a new gathering; and in the mean time the authorities hastily prepared for any further duty which might devolve upon them. But the scouts returned with the report that all was quiet.

12. Very soon after the firing from the building the police made arrests of persons who had been active in the riot, and attempts at forcible rescue were made by the mob. One man, physically powerful, collected a squad of followers and waylaid

three policemen who were taking a rioter to jail, but the police arrested him and dispersed his followers by exhibiting their pistols.

13. It appears that the mob spirit had been gathering form and force for a month before it broke out, and that it had been stimulated and fostered by men of influence. The project had been known in Portland early in May, in Boston two weeks before its execution, and it was spoken of in Saco, North Yarmouth, Gorham, and Paris on the morning of that day.

14. The ringleader of the mob, who lost his life in it, was a strong and muscular man, a sailor, and had left Boston a day or two before to avoid an arrest; he was engaged in the King riot in Portland about five years before. He engaged in this tumult deliberately, having spoken of it in the afternoon, and having refused the advice to keep away from it.

15. All the members of the police, without exception, from the beginning to the end of the affair, were perfectly cool and collected, betraying no symptom of being flurried, and the same is true of the commander and all the members of the Rifle Guards. Every thing on the part of the authorities was done with deliberation as well as with firmness and decision.

16. If that infuriated mob had accomplished their first object, they would have become mad on the liquors of the Agency, then setting fire to the remainder would have destroyed the City Hall, for that purpose was avowed. Then none but God can know how far their passions would have driven them. It was the duty of the authorities to uphold the majesty of the law, and to suppress at any hazard the ferocious mob which sought to overthrow law and order, and to let loose upon the citizens all the horrors of anarchy and riot. If the authorities had permitted themselves to have been overthrown and crushed by the mob, without employing all the power which the law had put into their hands for the suppression of tumults, they would have shown themselves to have been unworthy the confidence and respect of those who placed the government of the city in their hands. But with the calm bravery that was manifested by Mayor Dow, Aldermen

CARLETON and BROOKS, it must be conceded that there was neither a want of bravery on the one hand nor a hasty rashness to the injury of the mob on the other. Such conduct as was manifested by Mayor Dow and his fellow-members of the committee would, in a monarchical country, have been rewarded by a mark of special favor from the throne. We have known of cases in England where mayors have exhibited far less personal valor in defense of public property and the maintenance of peace, and they have received the distinction of knighthood for their eminent services. Bravery and courage are qualities which are reasonably expected of men who make a profession of the use of arms, but when men unaccustomed to shoulder the musket show themselves ready at the hour of peril to take the lead in quelling an infuriated mob, and thereby place themselves in a position which at any moment may end their lives, they certainly deserve those high distinctions which history so justly awards.

17. In our first chapter, written before these events had transpired, we remarked, with reference to the name of NEAL DOW, that it is "one of the most remarkable in the history of American reformers, and we might say, were he not still living, of *American heroes*." We have now the opportunity of saying, that *although still living*, his name has been, by the force of perilous circumstances and the bravery he has manifested under them, placed on the records of his state and country high among those whom posterity to delight to honor.

18. Notwithstanding the facts which are here stated, the newspapers of Portland devoted to the rum interest availed themselves of the opportunity to injure the character of NEAL DOW to their utmost ability, as had been previously projected. Their reports, as is now well known, were calculated to lead the people of America to suppose that NEAL DOW had rashly ordered the firing upon an almost peaceable gathering of citizens. They even went so far as to declare him guilty of the murder of ROBBINS, and demanded that the law should be executed upon him for his crime! This showed plainly who were the real instigators of the riot, and on whose heads the guilt of the blood spilled must be fixed.

All unbiased citizens say without hesitation that it was the language used in the papers above referred to that led to the outbreak. As the inquest which was held on the body of ROBBINS returned a verdict which justified the authorities, an enlighted public will know where to attach the responsibility.

19. A meeting was called by the opponents of NEAL DOW on the following Monday, and resolutions were passed condemning his course. They also appointed a committee of nine persons to investigate the affair and to report thereon, and at the same time passed a resolution calling upon him to resign office—before their committee could have time to report. This gave additional opportunity for the press to use its influence in defaming NEAL DOW's character, by endeavoring to make it appear that the citizens really desired that he should resign. JOHN L. POOR, the editor of *The State of Maine*, in whose paper statements had appeared which led to this outbreak, was one of the speakers at this meeting.

20. The trial of NEAL DOW for having liquors in his possession to "sell in the State in violation of law," took place at the police court on the following Tuesday. Hon. W. P. FESSENDEN appeared for the defense and Hon. NATHAN CLIFFORD for the prosecution. After an examination of witnesses on both sides, and the speeches of the counsel, the trial came to a conclusion. In reference to the conversation above referred to of NEAL DOW and Alderman RING, the latter testified as follows:

> I did not understand from the conversation with Mr. Dow that if he had procured or bought the liquors, he had done it for any other purpose than on account of the city and for the Agency.

The following day, Judge CARTER decided that no agency had been established, as no agent had been appointed; but held that the statute did not specify whether the liquor should be purchased before or after the agent is selected, and that as subsequently the liquors were turned over to the city, there was not evidence of criminal intent on the part of the Mayor; so NEAL DOW was discharged.

21. Both the coroner's inquest and the trial at the police court

failing to substantiate any charge against Mayor Dow, his enemies, exasperated at the defeat of their plans, determined to institute an inquest of their own. They accordingly applied to the authorities, and gained permission to view the body of their departed ringleader. It had been buried in the tombs, and had been followed there by a procession of about 300 admirers, and an American flag at half-mast, carried by a sailor. They commenced an inquiry, with a coroner and jury composed *entirely of known opponents to the Maine Law.* The authorities, although refusing to recognize this as a legal inquest, took care to send a sufficient number of witnesses to continue the inquiry for at least two weeks. In the mean time, at the request of Mayor Dow, the Board of Aldermen ordered an inquiry to be instituted by a committee of citizens selected without regard to party bias. These two bodies were in session at the time our manuscript went to press. Whatever verdict may be rendered by either will be of but little consequence, as the legal inquest has already pronounced upon the act.

22. The first effect produced by the reports given through the telegraph, and by the *State of Maine* and *Eastern Argus* newspapers, on the public mind, was that NEAL DOW had been guilty of some indiscretions; and even his friends at a distance, who did not understand the character of the papers in which the reports referred to appeared, naturally felt concerned for NEAL DOW and the cause of prohibition; but the more enlightened portion of the community, and those who knew NEAL DOW best, received these reports with incredulity; and the *Tribune* newspaper, while inserting them as the only reports they could then obtain, cautioned the public against believing them, as from the well-known character of NEAL DOW it was not at all likely that he would be guilty of the charges made against him. The New York *Independent* at this time made the following remarks:

There is but one rule to be observed with a mob, and that is to disperse it by powder and ball, after fair warning of that measure has been given. In some of the preliminary steps Mayor Dow may have been imprudent. We have no disposition to glorify him, or to associate the question of prohibition with his individuality. But at the last, when a mob was raging

against the property of the city which he is sworn to protect, he could but do as he did, and show that at all hazards he would maintain the public peace. No matter what occasioned the riot, there was but one way to put down the mob. The lesson will be salutary.

23. Gradually the truth came out, and although it seldom spreads with the rapidity of scandal, it has a more enduring effect. It made its way throughout the country, and those papers that had published the first accounts were in honor bound to publish the correct reports given in the Portland *Advertiser*. Following this, NEAL DOW, on the 9th of June, made a report to the Board of Aldermen of the events of the 2d of June, relating the circumstances in a fair and candid spirit, which report was, by order of the Board, entered on the records of the city as a true and faithful account of the whole proceeding. From this official record, and from facts collected from several other sources, we have compiled the preceding account. The official statement of Mayor Dow was also inserted in the papers throughout the country, and no attempt has been made, so far as we have learned, to refute a single statement contained therein.

24. As a pleasing indication of the respect entertained for NEAL DOW, and the sympathy felt for him under the circumstances of persecution and annoyance to which he has been subjected, he received, on the 19th of June, from the temperance women of Biddeford, Me., a beautiful silver pitcher and two goblets, ornamented by vines, foliage, and fruit, in very high relief, superbly embossed, the twisted vine-stalk forming the handle of the pitcher. Tastefully surrounded by the foliage, the following appropriate motto is engraved on the pitcher:

FIDELITY TO TEMPERANCE.

25. On the 21st of June the New York State Temperance Society held its annual convention at Albany, and among numerous resolutions the following was passed unanimously:

Resolved, That we heartily concur with the conclusion expressed by His Excellency Gov. MORRILL, of Maine, respecting the plot wickedly instigated by the enemies of the Maine Law in Portland, viz.: Mayor Dow, and those true men who aided him in quelling the mob on that occasion, merit, and will receive, the support and approbation of all good citizens.

26. On the 26th of June the Maine State Temperance Convention was held at Bangor, and resolutions were adopted declaring that the mob at Portland was instigated by unprincipled politicians for party purposes, and commending GOV. MORRILL as a worthy chief magistrate, and well deserving a re-election. The Portland correspondent of the New York *Tribune*, writing under date of June 26th, says:

> Mayor Dow is now fully sustained by the best and greater part of our community. Much of the excitement has been fostered with the design of damaging the Republican party of this State; but there will be the failure of a blunder and the recoil of a crime.

Numerous articles have appeared in the impartial newspapers of the country vindicating the conduct of NEAL DOW on this occasion; and among the masses of the reading public generally there is now a general recognition of the truth of NEAL DOW's own statement, and a conviction that he did his duty nobly and bravely.

Chapter Eleven.

> I was one of the party who insisted upon putting up Judge PARIS [NEAL DOW's opponent in the election for mayor]. There is no question that the city is much quieter than it was before the passing of the law, and the sentiment in favor of the principle of entire prohibition is nearly *universal*.—ALLEN HAINES, ESQ., President of Portland City Bank.

DOMESTIC AND SOCIAL RELATIONS AND POSITION.

Father and sister of NEAL DOW and their residence—Homestead and family of NEAL DOW—Friends and coadjutors in Portland—The future—Concluding observations—The city of Portland.

1. IN his domestic relations, NEAL DOW may be regarded as fortunate and happy. His father, JOSIAH DOW, is still living at the age of eighty-nine years with his daughter, in a house directly opposite NEAL DOW's present residence. It is a substantial family house, and will be remarkable in history as the birth-place of the originator of the Maine Law. It is situated

on Congress Street, in front of a large tannery, the superintendence of which has for some years devolved upon NEAL DOW.

2. NEAL DOW's residence, some idea of which will be formed from the accompanying engraving, is situated at the corner of Dow and Congress streets, Portland. The house is of first-class character, being large and convenient, with spacious rooms on the ground floor, such as parlors, library, dining-room, and kitchen, with all the usual offices and appurtenances of a well-ordered family homestead, surrounded as it is with a well-kept garden, with pleasure grounds, and commanding a view of the magnificent scenery already referred to. [Chap. I., Sec. 1.] In this homestead reside the family of NEAL DOW, consisting of his excellent wife, formerly MARIA CORNELIA DURANT MAYNARD, of Boston, Mass., three accomplished and industrious daughters, who enter into the movements of their father with all the interest and enthusiasm which intelligent appreciation and affection always secures, and two sons. We should judge the eldest of the family is about twenty years of age, and the other members eighteen, fifteen, eleven, and five. They possess all the advantages of moral and industrial training and education, and for health, intelligence, and personal attractions are rarely equaled even in the vigorous and salubrious climate in which it is their happiness to reside.

3. NEAL DOW has been fortunately surrounded by a large circle of earnest friends, who have participated with him in his labors and shared with him his perils and his triumphs. Among these may be mentioned General JAMES APPLETON, already referred to [Chap. II., Sec. 6]; Hon. SAMUEL FESSENDEN, President of the Maine Law Statistical Society, who is revered and beloved by all who know him for his noble efforts in the cause of human improvement, and for his high moral and social qualities as a man and a Christian; Rev. B. D. PECK, editor of the *Maine Temperance Journal*, which stands foremost as a non-compromising advocate of liquor prohibition, and has done good service to the cause; Rev. JAMES PRATT; Rev. AUSTIN WILLEY; Rev. L. F. BEECHER, now of New York; Rev. Mr. LINCOLN,

RESIDENCE OF NEAL DOW.

now of Utica, N. Y.; Rev. J. W. TURNER, Rev. WM. McDONALD, GEO. H. SHIRLEY, CHARLES A. STACKPOLE, JOHN T. WALTON, Aldermen CARLETON, JONES, and BROOKS, already referred to [Chap. IX., Sec. 3–7]. These, and many others, have aided in bringing public opinion up to its present state of direct antagonism to the liquor traffic in Portland, and, through the example of that city, of strengthening the cause of prohibition throughout the world.

4. Whatever the future of NEAL DOW may be, it is certain that what he has achieved will form material for a most important portion of the social history of the world during the present century, and its results on future ages, there is reason to believe, will be of incalculable benefit. He is now in the full vigor of his manhood, and in saying that we wish him a long life of prosperity, usefulness, and enjoyment, we are but expressing the feeling of the whole sober population of this country. That he could command a strong vote in all the Northern States were he nominated to the Vice-Presidency of the country, can scarcely be doubted, and if ever he should be called to fill that position, he would do much to redeem it and the country from the stigma attached to that office by predecessors. With NEAL DOW as the presiding officer of the Senate, the scenes of drunkenness which disgraced the last Congress could scarcely be repeated. At all events, there would be in the person of the Vice-President a stern reproof to all such proceedings, and the country would in this way best express its feelings and vindicate the national honor and morality.

5. Those who have read this narrative thus far have learned that the life of NEAL DOW hitherto has been one of ceaseless activity and usefulness. He has not only been carrying on successfully a large business concern, which of itself would have been sufficient labor for a man of common executive capacity, but he has had upon his mind the direction of a movement which has required an unusual amount of tact, talent, and ability, together with the duties of the several responsible positions he has been called upon by his fellow-citizens to fill. While he

has been surrounded, it is true, by many valiant friends, he has also had to contend with the bitterest and most malignant enemies—enemies who have had no scruples of conscience to deter them from the vilest calumnies and the most iniquitous plots. Throughout the whole of this arduous enterprise, which has engaged the last fifteen years of his life, he has maintained a consistency of conduct and manliness of character to which it is the happiness of but few to attain. The ardent impetuosity of his nature has been wisely directed; and notwithstanding the scurrilous reports circulated by his enemies, no charge of indiscretion even, in the discharge of his official and public duties, has been substantiated against him. While his opponents are meanly plotting and planning for his overthrow, he is quietly pursuing a course which foils their plans and frustrates their attempts; so that when the time of action comes they find him on the alert, and with a rapidity of motion and a calmness of judgment which baffle his assailants, he meets them with appropriate weapons and turns their hoped-for glory into shame.

6. The early settlement of this peninsula had its times of trial, disaster, and destruction [Chap. I., Sec. 2], but it has survived them all, and become a city which for energy, enterprise, and general importance to the country is surpassed by none of its size. The moral settlement of Portland has been scarcely less jeopardized than was its material erection. The rum fiend and its minions were as destructive to the welfare of the city as were the Indians and the French to that of the original settlement; but by the bravery of some of Portland's noblest sons these enemies have been conquered, and the last was their most desperate, and, we trust, their death struggle. Portland is now in more than one respect "a city set upon a hill which can not be hid," and the moral revolution in which she has taken the lead is rapidly extending its benign influence over the civilized world.

Part Second.

HISTORY OF LIQUOR PROHIBITION.

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HISTORY

OF

LIQUOR PROHIBITION.

Chapter One.

It is a legislation of consummate wisdom, thoroughness, and energy. Maine is worthy, if her course from this step is straightforward, to direct the legislation of the whole world and the policy of all civilized communities.—Rev. Dr. Cheever, of New York.

UNITED STATES AND TERRITORIES.

Progress of Prohibition in the United States—Alabama—Arkansas—California—Columbia—Connecticut—Delaware—Florida—Georgia—Illinois—Indiana—Indian Territory—Iowa—Kanzas—Kentucky—Louisiana—Maine—Maryland—Massachusetts—Michigan—Minnesota—Mississippi—Missouri—Nebraska—New Hampshire—New Mexico—New York—New Jersey—North Carolina—Ohio—Oregon—Pennsylvania—Rhode Island—South Carolina—Tennessee—Texas—Utah—Vermont—Virginia—Washington [Territory]—Wisconsin.

The legal prohibition of the liquor traffic has within the last four years become a subject of agitation in every State, District, and Territory of the United States. When it is known how deep a hold it has acquired on the public mind, and how permanently it has affected the legislation of the country within this short period; how great and deep-rooted have been the interests and prejudices which it has opposed, the progress which the prohibitory principle has made within this period is such as may well excite the astonishment of the old world. But it is perfectly consistent with the genius of republican governments that the will of the people should become embodied in the laws of the land as soon as a wide-spread intelligence can mature that will into a practical form. We present a brief view of the position of the movement in each State and Territory in order to arrive at a concise view of the whole.

STATE OF ALABAMA.

Population in 1850, 771,623. Density to square mile 15.21. Area 50,722 square miles.

The Sons of Temperance and other friends of the cause in this State are zealously advocating the Prohibitory Law. A municipal prohibitory liquor law has been in operation in Tuscaloosa since 1851. It was passed with a view of preserving the students at the college from the temptations to indulge in strong drink. At Gainsville licenses are raised to $2,000 per annum.

STATE OF ARKANSAS.

Population in 1850, 209,897. Density to square mile 4.02. Area 52,198 square miles.

Prohibition has been agitated to some extent, but we have not learned that any vote has yet been taken on the subject.

STATE OF CALIFORNIA.

Population in 1850, 92,597. Density to square mile .59. Area 155,980 square miles.

The movement for prohibition has made good progress even in this distant State. The latest intelligence received was, that the Prohibitory Law had passed the House, and the question is to be submitted to popular vote in the fall of 1855.

DISTRICT OF COLUMBIA.

Population 51,687. Density to square mile 871.45. Area 60 square miles.

The question of prohibition was submitted to the inhabitants of Washington city, which contains three fourths of the people of this District, in 1853, when it was decided in favor of prohibition by a large majority. But as the corporation of that city have not in this respect carried out the views of the majority of the citizens, drunkenness prevails in every part of the city. It is scarcely possible to walk through Pennsylvania Avenue, the principal thoroughfare of the city, without meeting, at almost any hour of the night or day, poor, deluded victims of the rum traffic

in a state of intoxication. The halls of Congress, both the Senate and the House of Representatives, are disgraced by members who quarrel and sometimes fight under the influence of liquor, while we have frequently seen the public business of the country impeded by the intemperance of its representatives and senators.

A bill for the better protection of life and property in the District of Columbia by prohibiting the sale of intoxicating liquors as beverages therein, was given notice of in Congress during its recent session, but being near the close of the thirty-third Congress its introduction was objected to.

The main feature of this bill was to make the sale of liquor for a beverage illegal; to fine and imprison the offender, and to make him responsible for all injury to person or property caused by the victim of such violation; also making the seller of strong drink responsible for the maintenance of paupers or others rendered chargeable by such sale, and in case of a death caused, either by the drink so sold illegally, or by accident arising therefrom, the party proved to have sold the liquor to be adjudged guilty of murder in the third degree or manslaughter, according to the judgment of a jury. It likewise empowered life and fire insurance companies, benefit societies, and the relatives of the deceased to sue for and recover damages to the amount of their injuries, the seller of the liquors illegally to be made responsible and subject to action in each case in addition to the penalties incurred by his crime.

STATE OF CONNECTICUT.

Population in 1850, 370,792. Density to square mile 79.33. Area 4,674 square miles.

In 1853 a prohibitory bill drawn up by Chief Justice Williams passed the Legislature of this State, after a severe conflict at the elections. Governor Seymour however vetoed it. The following year Hon. Henry Dutton was elected governor, and a bill perfected by Hon. David C. Sanford, of New Milford, chairman of Judiciary Committee on the part of the House, and Hon.

Henry B. Harrison, of New Haven, of the same committee on the part of the Senate, aided by the suggestions of the Governor, passed by a vote of 13 to 1 in the Senate and of 148 to 61 in the House. We refer to *Results of Prohibition in Connecticut* for further history.

STATE OF DELAWARE.

Population in 1850, 91,532. Density to square mile 43.18. Area 2,120 square miles.

In February, 1847, the Legislature passed a prohibitory law, referring it to the people. Maine was the first to enforce the Prohibitory Law, and to the State of Delaware belongs the honor of having upon her statute-books the second *Prohibitory Liquor Law* enacted by any State in the Union. Newcastle County voted in favor of the law on the 6th day of April following, but there was a small majority in Kent and Sussex counties against it. Subsequently the law was set aside by the court as unconstitutional, because it was referred to the people.

This decision had the effect of retarding the work for awhile. The friends of temperance, untiring in their efforts, buckled on the armor again for the conflict, determined to push the battle to the very gates of the enemy; and in 1850 they formed themselves into a third party organization. The Whig party, having had the power in the State for many years, to encourage the friends of temperance to vote with them (a majority of temperance men belonged to that party) at their primary meetings, passed resolutions favoring the temperance movement, and after the elections disappointed them.

The Democratic Legislature of 1850 passed an act to close up the hotels on Sunday. This law was received with much favor, and was observed.

But the same Legislature, at an extra session, without any petitions, repealed the law. This aroused the friends of temperance to action again. In October of this year Rev. A. Poulson commenced the publication of a paper at Smyrna, in Kent County, called *The Delaware Herald*, devoted to the cause.

In 1852 the Whig party was again elected, and many petitions for prohibition were sent in; after making several attempts to prepare and pass a prohibitory law, they again referred it to the people in school districts, and at the same time restored the Sunday law. This was not the law asked for or desired, but under its operation the rum shops of the State were much diminished.

By a union of the Temperance party with the Native Americans in 1854, the election resulted favorably to the cause, and the result was the passage of the Prohibitory Liquor Law on the 27th of February, 1855. It took effect on June 3d.

The announcement of the passage of this law produced a thrill of joy in the hearts of thousands; never was there a law enacted in the State that meets with such general favor. It has proved a blessing to many families that have long been deprived of the comforts and blessings of life, and is being generally and successfully enforced.

STATE OF FLORIDA.

Population in 1850, 87,445. Density to square mile 1.48. Area 59,268 square miles.

Some advancement has been made in this State in the cause of prohibition, but we have not learned that a direct vote has been taken on the subject.

STATE OF GEORGIA.

Population in 1850, 906,185. Density to square mile 15.62. Area 58,000 square miles.

The subject of prohibition is being discussed and agitated in this State, but what the action of the Legislature will be is at present uncertain. A convention met at Atlanta, February 22, 1855, and nominated a prohibitory law candidate for governor.

STATE OF ILLINOIS.

Population in 1850, 851,470. Density to square mile 15.37 Area 55,405 square miles.

After great effort on the part of the friends of temperance, a stringent prohibitory liquor law passed the Legislature by a vote of 46 to 26 in the House in 1855. It was approved by the Governor, but it contained a clause submitting it to the approval of the people in June of the same year; and through the corruption of the election it was defeated. The friends, however, take courage, knowing that it has suffered similar defeat in other States where it is now in successful operation.

STATE OF INDIANA.

Population in 1850, 988,416. Density to the square mile 29.24. Area 33,809 square miles.

There is much enthusiasm in Indiana on the subject of prohibition, and there are some earnest women engaged in the work. In 1853 a prohibitory liquor law was enacted here, which contained a clause providing that it be submitted to the people. This clause was pronounced unconstitutional by the judges of the Supreme Court. But in 1855 a new prohibitory law passed the Senate by a vote of 29 to 18, and the House by a vote of 51 to 41. The law took effect on the 12th of June, and reports of its successful operation are already received.

INDIAN TERRITORY.

[South of Kanzas.]

Area 71,127 square miles.

During the administration of General JACKSON a law was enacted prohibiting the sale of intoxicating liquors to the Indians, and authorizing the seizure and confiscation of intoxicating liquors, whether of home manufacture or *imported*, found upon Indian Territory. So that although the Democratic party are now the loudest in their denunciations of the prohibitory liquor laws, under the efficient government of General JACKSON the principle was not only acknowledged, but carried further than has yet been attempted in any of the States. This law is still in force.

STATE OF IOWA.

Population in 1850, 192,214. Density to square mile 3.78. Area 50,914 square miles.

The Prohibitory Liquor Law passed the Legislature of this State in 1855, and was confirmed by a vote of the people the following April by a vote of 25,555 to 22,645.

TERRITORY OF KANZAS.

Population in 1855, 8,516. Area 114,798 square miles.

This Territory is too new to have any settled policy on the question of prohibition. Gov. REEDER has recommended a prohibitory law in his message.

STATE OF KENTUCKY.

Population in 1850, 982,405. Density to the square mile 26.07. Area 37,680 square miles.

There was a vigorous movement in the Legislature of this State last year in favor of the Maine Liquor Law, which will be repeated. At Princeton licenses are $1,500 per annum.

STATE OF LOUISIANA.

Population in 1850, 517,762. Density to square mile 12.55. Area 41,255 square miles.

At New Orleans, reputed to be a city of great dissipation, the electors voted in the fall of 1854 on the question of license or no license; the result was: for license 7,700, against 2,358. This can hardly be considered a test vote on the subject of prohibition, as many might vote in favor of license, believing that it would be better than no license, who would be in favor of prohibition.

STATE OF MAINE.

Population in 1850, 583,169. Density to square mile 18.36 Area 31,766 square miles.

A law prohibiting the sale of intoxicating liquors passed the State Legislature of Maine in 1846. It was not sufficiently se-

vere in its penalties. In 1851 the next prohibitory liquor law was passed. It was amended in 1853, and substituted in 1855 by a still more stringent act, prohibiting carriers from conveying liquors. For extended history see *Life of Hon. Neal Dow* and *Results of Prohibition in Maine.*

STATE OF MARYLAND.

Population 583,034. Density to the square mile 52.41. Area 11,124 square miles.

A prohibitory liquor law was defeated only with difficulty in the Senate in 1854, it having passed the House. The city of Baltimore gained a complete prohibition victory at the succeeding election, the candidates nominated by the Maine Liquor Law party being elected by a good majority. As Baltimore is one of the most important commercial cities of the Union, it is encouraging to find it takes so bold a stand on this question, especially as large commercial cities are commonly the most difficult to move in favor of prohibition.

STATE OF MASSACHUSETTS.

Population in 1850, 994,514. Density to the square mile 127.50. Area 7,800 square miles.

In 1851 Rev. T. W. Higginson, of Worcester, in accordance with a resolution passed by the Essex County Temperance Convention—a resolution proposed by himself—made inquiries by circular addressed to the leading temperance men of Maine as to the effects of prohibition in that State. This was the commencement of the movement in Massachusetts; and the statements collected formed the first body of facts on the subject collected in this manner. Mr. Higginson afterward submitted them to the State Temperance Convention, held at Worcester the same year, and they formed an excellent report, and did much to raise public opinion to its present standard. In 1852 a prohibitory law passed the Legislature of Massachusetts, which was subsequently pronounced by the Supreme Court as unconstitutional in some of its provisions. This prevented the enforcement of the law

vigorously in the cities, although it has been of great use in the country towns; for facts in relation to which see *Results of Prohibition in Massachusetts.* In compliance with general desire, the Legislature in 1855 passed a perfected law, which is to avoid the alleged unconstitutionality of the former law. It came into effect on the first of May, 1855, and is being generally enforced.

STATE OF MICHIGAN.

Population in 1850, 397,654. Density to a square mile 7.07. Area 56,243 square miles.

A prohibitory law was enacted in this State in 1853, which was submitted to the people, and confirmed by a vote of forty thousand for and twenty thousand against the law, and subsequently pronounced by half the judges in the Supreme Court unconstitutional. This was sufficient to hinder its execution in some of the principal towns, but it has been beneficial in several country villages, as will be seen by referring to *Results of Prohibition in Michigan.* In 1855 the Legislature passed a law which it is believed will not be set aside by the judges. It is now in successful operation, and its results are highly spoken of by the Michigan press.

TERRITORY OF MINNESOTA.

Population in 1850, 6,077. Density to square mile .04. Area 166,025 square miles.

The Legislature of this Territory passed a prohibitory law in 1852 which was ratified by the direct vote of the people the same year. In 1853 the Supreme Court of this Territory decided that the submission of the act to the vote of the people was unconstitutional. This hindered the proper enforcement of the law and prevented its benefits from being felt. The defect will be remedied probably by the new Legislature.

STATE OF MISSISSIPPI.

Population 606,326. Density to square mile 12.86. Area 47,156 square miles.

A restrictive liquor law has passed the Legislature of this State which will probably lead to total prohibition. Licenses are refused at Monticello.

STATE OF MISSOURI.

Population in 1850, 682,044. Density to square mile 10.12. Area 67,380 square miles.

The anti-liquor movement is making progress in Missouri. A Sunday liquor prohibitory law is in successful operation.

TERRITORY OF NEBRASKA.

Population not reported in census. Area 335,882 square miles.

A prohibitory liquor law passed the first Legislature, and took effect April 1, 1855. There is no liquor sold in the Territory.

STATE OF NEW HAMPSHIRE.

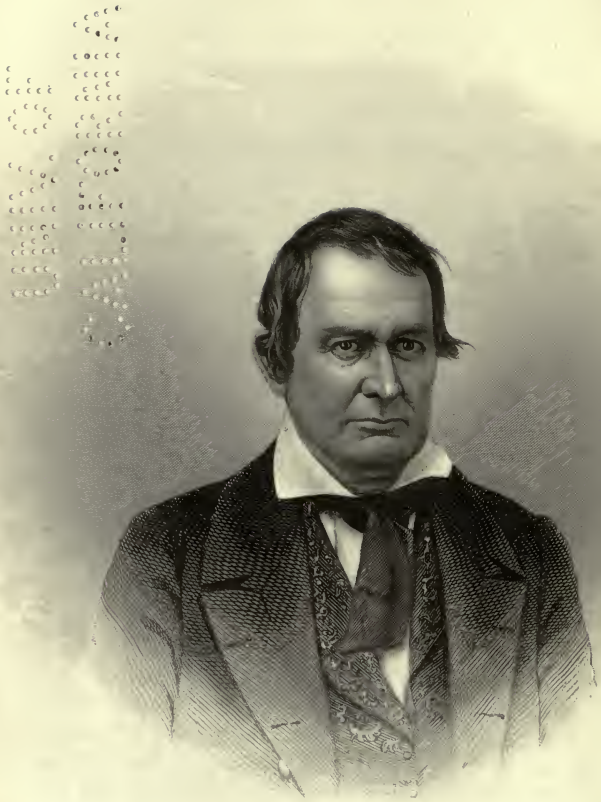
Population 317,976. Density to square mile 34.26. Area 9,280 square miles.

The House of Assembly has, previous to 1855, twice passed a prohibitory bill; but as the Senate of this State is not elected on democratic principles, the people are prevented from having their own way in this matter by the influence of money interests connected with the traffic. The House has for the third time passed the prohibitory measure, and the Senate has yielded to the force of public opinion. The prohibitory bill has become law, so that all New England is now under prohibitory enactments.

TERRITORY OF NEW MEXICO.

Population 61,547. Density to square mile .30. Area 207,007 square miles.

The vast extent of this Territory and its scattering population have prevented any very efficient prohibitory movement for the present



Engraved by J C Buttre

STATE OF NEW JERSEY.

Population 489,555. Density to square mile 58.84. Area 8,320 square miles.

Strenuous efforts have been made in this State to secure the passage of a prohibitory law, and they at last have been successful in the House of Assembly by a vote of 35 to 22. The Senate, however, in hope of reaping a rich harvest from the enforcement of prohibition in New York State, postponed the consideration of the bill till next session.

The Carson League has been doing good in Jersey City in enforcing the license law against unlicensed sellers. A prohibitory Sunday law has been recently more rigorously enforced, with some advantage to the city. Newark and several towns in this State have refused licenses.

STATE OF NEW YORK.

Population in 1850, 3,097,394. Density to square mile 65.90. Area 47,000 square miles.

The Legislature passed an excellent prohibitory law in the early part of 1854. Gov. Seymour, however, thought proper to refuse his assent, and wrote a long veto message, which caused great disappointment throughout the State, and drunkenness and its accompanying evils went on increasing throughout the year.

At the last fall election the most vigorous efforts were made by the great rum party of the State to sustain their champion, Horatio Seymour, who declared himself a candidate in the rum interest, in order to test the question with the people. The capital of the New York city wine and spirit merchants was used in abundance to influence the elections; all the tactics of adroit politicians were resorted to; the great "Know Nothing movement" had its champion, and "the Hards" had theirs in the field, so as to weaken, if possible, the temperance ranks, and avoid the election of the prohibition candidate for governor, Myron H. Clark, who had been most zealous in supporting the prohibitory bill in the Senate. Before the official result was

announced, the *Tribune* and other papers claimed the defeat of prohibition and the re-election of the rum-governor, SEYMOUR. The rum party, overjoyed at their victory, met in the Park in New York city, and amid the roar of cannon shouted "huzzas and victory!" But "the triumph of the wicked" was "short." Gradually did the official returns come in day after day, changing the figures from a majority of some 20,000 for SEYMOUR to a very close-run vote, until hope was actually entertained that CLARK was elected. At length, about a month after the election, the returns having been carefully canvassed, MYRON H. CLARK was officially declared governor by a majority of between 300 and 400. This great moral victory over base and sordid corruption was celebrated by banquets and public rejoicings throughout the whole State. Such a period of heartfelt public enthusiasm has seldom been known in any country; certainly never in so good a cause.

On February 21st, 1855, the prohibitory bill passed the Legislature by a vote of 80 to 45 in the House, and subsequently in the Senate by a vote of 21 to 11, the law coming into effect on the 4th of July.

Lawyers in New York city have been largely paid to give opinions unfavorable to the law, and Mayor WOOD being opposed to the enactment, availed himself of these as a plea to avoid that complete enforcement which alone can insure its success. Mayor HALL, in Brooklyn, however, is enforcing the law with vigor, and in the smaller cities and towns and in the country places the law is coming into effective operation.

STATE OF NORTH CAROLINA.

Population in 1850, 869,039. Density to square mile 17.14. Area 50,704 square miles.

A large number of petitions from the people were presented to the Legislature of 1855, asking for a prohibitory liquor law, and the House decided by a good majority to have the subject fully considered by a committee, to whom the petitions were referred.

STATE OF OHIO.

Population in 1850, 1,980,329. Density to the square mile 49.55. Area 39,964 square miles.

In the early part of 1854 an act was passed in this State forbidding the sale of intoxicating liquor for the purpose of drinking in the vender's or an adjoining house, or any place of public resort; also to minors, except with a written order from their parents or guardians; also to persons intoxicated. Persons selling liquor contrary to law are held responsible for the effects of such liquor, made to pay $1 00 for every day the inebriate, made so by such illegal sale, is kept or taken care of; and the wife or children can recover damages for the losses they sustain in consequence of such violation of the law, the damages recoverable by civil action in any of the courts having jurisdiction of the same. The provisions of this act were in some cases of appeal decided unconstitutional, and consequently the benefits of the law have not been realized. But on Saturday, the 20th of January, 1855, the Supreme Court of Ohio decided in the cases of *Frederick Miller* and *Leoni Gibson* vs. *The State*, that the law of 1st of May, 1854, had been constitutionally passed, and therefore the former judgments and orders were reversed.

This decision rendered the offenders subject to a fine and twenty days' imprisonment. Numerous cases of a similar nature were pending, so that the decision caused considerable excitement. The law in this State had been made stringent by its enemies, hoping thereby to defeat it by making it odious. The result has been just the reverse, and it is now very popular.

TERRITORY OF OREGON.

Population in 1850, 13,294. Density to square mile .07. Area 185,030 square miles.

A kind of prohibitory law was enacted here in 1852, but the rapid influx of emigrants, and the strong contentions of party politics, seem in a great measure to have destroyed its efficiency among this scattered population. As Oregon will soon be ad-

mitted into the Union as a State, there will be a better opportunity for the enforcement of an efficient law. There is a strong feeling in its favor in this Territory.

STATE OF PENNSYLVANIA.

Population in 1850, 2,311,786. Density to square mile 50.26. Area 46,000 square miles.

In this State the question of prohibition having been substantially approved by the Legislature, was submitted to a direct vote of the people at the election in October, 1854. The result was at first announced as largely in favor of the rum traffic and opposed to prohibition; but it was afterward discovered that prohibition had achieved the victory in the election of governor, senators, and representatives, while the boasted majority in favor of anti-prohibition was found to amount to a very small number of votes.

It appears from the returns that the English settlers, principally Quakers, who occupy Philadelphia, Delaware, Chester, and part of Bucks County on the river Delaware; the counties of Erie, Warren, Bradford, Susquehanna, Logan, Luzerne, etc., which were settled by New England emigrants; and the region west of the Alleghany Mountains, principally settled by people of Anglo-Saxon origin from Scotland, north of Ireland, and from Wales, all gave considerable majorities in favor of prohibition, while the counties principally settled by Germans and their descendants, such as Berks, Lancaster, Dauphin, Lehigh, Northampton, Schuylkill, Montgomery, Adams, Franklin, etc., in nearly every instance gave heavy majorities in favor of the traffic in their favorite beverage, "Lager Bier." It appears also that the friends of temperance did not regard this contest on the question of prohibition as a test of their strength, as they gave notice beforehand that they did not approve of the issue forced upon them by the Legislature. They also passed resolutions declaring that unless the Liquor party polled more than one half of the votes of the State, as they were all opposed to prohibition in every form, while the temperance men

were not united on the issue, they, the Temperance party, would not regard the victory as having been won by the Liquor party. Now, according to this test, the anti-prohibitionists were defeated by upward of 40,000 votes.

The Legislature of 1855 passed a prohibitory liquor law which, although not quite satisfactory to the temperance friends, is nevertheless an important step in advance for Pennsylvania.

STATE OF RHODE ISLAND.

Population in 1850, 147,545. Density to the square mile 112.97. Area 1,306 square miles.

In May, 1852, the General Assembly of this State passed a prohibitory law, amended it in June, and again in January, 1853. But with all this care it was pronounced unconstitutional in 1853 by the United States Supreme Court of Rhode Island, and consequently its execution was greatly impeded. Notwithstanding this, however, great good has been accomplished by it. The masses of respectable citizens are evidently in its favor. See *Results of Prohibition in Rhode Island* for more extended history.

STATE OF SOUTH CAROLINA.

Population 668,507. Density to square mile 22.75. Area 29,385 square miles.

Efforts are being made in this State to promote prohibition. The South Carolina *Standard*, published at Lexington, is doing good service. Conventions are held, and Maine Liquor Law candidates nominated for political officers, so that there is hope for ultimate success. Several towns and corporations have adopted prohibition with excellent results.

STATE OF TENNESSEE.

Population in 1850, 1,002,717. Density to square mile 21.99. Area 45,600 square miles.

In 1851 a select committee of the Legislature was appointed to investigate the question of legal prohibition, in compliance with numerous petitions on the subject. The agitation goes on

with some spirit, and there is hope of success in this State. Rev. W. G. BROWNLOW, Judge DELAHUNTY, and Gen. W. T. HASKELL are active in promoting the cause.

STATE OF TEXAS.

Population in 1850, 212,592. Density to the square mile .89. Area 237,504 square miles.

At the election in August, 1854, the question of prohibiting the sale of less than a quart of liquor was submitted to a direct vote of the people. Prohibition was adopted by an overwhelming majority. Nearly every county had a preponderance of votes in its favor. The passage of a more stringent prohibitory law by the Legislature of Texas is looked upon as certain within the year 1855.

TERRITORY OF UTAH.

Population in 1850, 11,380. Density to square mile .04. Area 269,170 square miles.

Although the Legislature have not yet enacted a prohibitory law, there is a municipal prohibition of the sale of liquors in Salt Lake City.

STATE OF VERMONT.

Population in 1850, 314,120. Density to the square mile 30.76. Area 10,212 square miles.

In 1852 the Legislature of this State passed a prohibitory law in which was a clause by which the person found in a state of intoxication was compelled to remain in prison until he would give information as to who served him with the liquor which produced that effect. This clause has been since successfully adopted in Connecticut, Michigan, and several other States.

In 1853 the people ratified the act of their Legislature by a direct vote. It has remained popular among the inhabitants to the present time. See *Results of Prohibition in Vermont* for further particulars.

STATE OF VIRGINIA.

Population in 1850, 1,421,661. Density to square mile 23.17. Area 61,352 square miles.

The Washingtonians and Rechabites of this State have done good service, and are uniting with the Sons of Temperance in bringing the question of prohibition before the Legislature. By steady perseverance they will overcome the conservativism of the Old Dominion.

TERRITORY OF WASHINGTON.

Population in 1850 not given in census. Area 123,022 square miles.

The latest intelligence from this Territory indicates that a prohibitory law is very popular and will soon be enacted.

STATE OF WISCONSIN.

Population 305,391. Density to square mile 5.66, Area 53,924 square miles.

In 1854 the people of this State voted by a good majority in favor of prohibition. This year the Legislature, in compliance with the will of the people, passed a prohibitory law. The Governor vetoed it, mentioning the causes to which he objected in his veto message. The Legislature, determined not to be defeated by this course, immediately amended the act by taking out the objectionable clauses. But the Governor again vetoed the bill, and there is a growing public sentiment in the State in favor of vetoing the Governor, which is likely to take place at the coming election.

Chapter Two.

Popular sovereignty.—FRANK PIERCE.

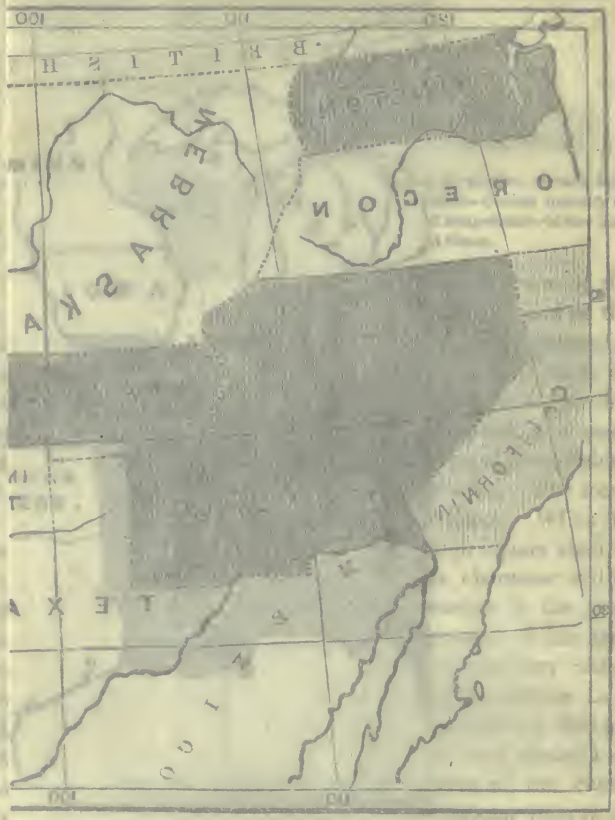
SUMMARY OF THE UNITED STATES AND TERRITORIES.

Prohibiting the importation of foreign liquors—Table showing the position of each State and Territory on the subject—Majorities in favor of prohibition—Certain majority of white male adults—Necessity for union among the friends of temperance—Maine Law Statistical Society—Concluding remarks relative to the United States.

To arrive at a comprehensive and yet concise view of the extent of prohibitory principles in the United States, and of the consequent influence which those principles may be reasonably expected to exert on a general election when the question of prohibition shall become the issue at such an election, the accompanying table has been prepared, showing the position of each State and Territory on the subject, and the population, extent, and number of white adult male inhabitants of each. The totals are highly encouraging to the friends of temperance. When the question of prohibiting the importation of foreign liquors shall be agitated—as it assuredly will—a table of this character will be regarded with additional interest. This practice is the great difficulty now in the way of the complete triumph of the temperance movement in this country. That the prohibitory States, those which have experienced the benefits of the Maine Law, will soon be convinced of the necessity for prohibiting this importation, there can be little doubt. The relative strength of these States, therefore, as compared with that of the States where prohibition has not yet obtained the popular vote, is an important subject of inquiry. That Congress has the power to prohibit the importation of liquors can scarcely be doubted. The embargo act of 1808 was regarded by the British as in accordance with the laws of nations, the rule of reciprocal intercourse being that the prosperity and happiness of the foreign govern-

MAP SSTATES IN 1855.

The WHITE portion repre e a majority of the people have expressed
The DARK portion repres here the law has not yet received the sig-
their sentiments on th



EXPLANATION.

The White portion represents territory on which a prohibitory law has been enact

The Dark portion represents territory where the people have not yet declared b

their sentiments on the subject.

ments with which intercourse is sought shall ever be regarded. The law against the importation of obscene books is a good precedent. The eighth article of the Constitution gives Congress the power to regulate commerce with foreign nations and with the Indian tribes. Now with regard to the latter, a prohibitory law has been in operation since 1802, and in the time of General JACKSON this law was amended so as to make it more stringent than any law proposed by NEAL DOW or any of the modern prohibitionists. The very features which have been most frequently regarded as unconstitutional in the prohibitory laws—the search and seizure clauses—are unusually severe in this law of 1822. If, then, Congress can exercise its authority on the Western frontiers, why not in the Eastern harbors? If the Indians be subjects of this regard and protection, why not the poor neglected wife and children of the drunkard, our neighbors, our sisters, our kindred, the hope of our country—young America? It is true some new treaties may have to be made with foreign governments, but with the force of public opinion unmistakably expressed at the ballot-box, the presidency of the country and of the Senate may be placed in charge of sound temperance men; and while the interests of freedom need not be neglected, this great question of prohibiting the importation of foreign liquor must become a leading feature of future elections. Indeed, until the liquor traffic is abolished, the sacredness of the ballot-box will continue to be invaded, and the permanent establishment of real freedom must be consequently deferred. Its entire abolition would strike at the root of the present political corruption, and leave the people free to work out their own political and moral regeneration.

In the following table the population of each State which has expressed itself *either by popular vote or by one or more branches* of its Legislature in favor of prohibition is placed altogether in one column, because the mere veto of a Governor or the refusal of the Senate to concur in a vote of the House, can not destroy the fact, that a majority are for the law as indicated by the popular branch of the Legislature, or by vote of the people.

SUMMARY OF THE

STATES.	Periods of Enactment.			When voted upon by the People.	
	When first enacted.	When pronounced unconstitutional by Sup. Court.	When amended or substituted.	Approved	Rejected.
Alabama.....(Slave)	—	—	—	—	—
Arkansas .....(Slave)	—	—	—	—	—
California .....(Free)	—	—	—	To be vot'd	on in 1855.
Columbia, Dist. of..(Slave)	—	—	—	1853	—
Connecticut .....(Free)	1854	—	—	—	—
Delaware .....(Slave)	1847	1848	1855	1847	—
Florida .....(Slave)	—	—	—	—	—
Georgia .....(Slave)	—	—	—	—	—
Illinois.....(Free)	1855	—	—	—	1855
Indiana.....(Free)	1853	1854	1855	—	—
Iowa.....(Free)	1855	—	—	1855	—
Kentucky.....(Slave)	—	—	—	—	—
Louisiana .....(Slave)	—	—	—	—	—
Maine .....(Free)	1846	—	—	'51 '53 '55	—
Maryland.....(Slave)	—	—	—	—	—
Massachusetts .....(Free)	1852	1853	1855	—	—
Michigan.....(Free)	1853	1854	1855	1853	—
Mississippi .....(Slave)	—	—	—	—	—
Missouri .....(Slave)	—	—	—	—	—
New Hampshire ....(Free)	1855	—	—	—	—
New Jersey.....(Free)	—	—	—	—	—
New York.....(Free)	1855	—	—	—	—
North Carolina ....(Slave)	—	—	—	—	—
Ohio .....(Free)	1854	—	—	—	—
Pennsylvania.....(Free)	1855	—	—	—	1854
Rhode Island .....(Free)	1852	1853	1853	—	—
South Carolina.....(Slave)	—	—	—	—	—
Tennessee .....(Slave)	—	—	—	—	—
Texas.....(Slave)	1854	—	—	1854	—
Vermont .....(Free)	1852	—	—	1853	—
Virginia .....(Slave)	—	—	—	—	—
Wisconsin .....(Free)	—	—	—	1854	—
Totals.....	....	....	....	....	....
TERRITORIES.					
Indian	1802	—	'15, '22	—	—
Kanzas	—	—	—	—	—
Minnesota	1852	1853	—	1853	—
Nebraska.....	1855	—	—	—	—
New Mexico	—	—	—	—	—
Oregon.....	1852	—	—	—	—
Utah	—	—	—	—	—
Washington.....	—	—	—	—	—
Totals.....	....	....	....	....	—

UNITED STATES AND TERRITORIES.

Population in 1850.		Area in square miles.		White Adult Males in 1852.	
Expressed by Legislature or Majority in favor of Prohibition.	Not yet declared on the question, or disapproving.	Where Prohibition is approved by Majority.	Where Prohibition is disapproved or has not yet been voted on.	Where Prohibition has been approved.	Where Prohibition has been either rejected or not voted on.
—	771,623	—	50,722	—	93,808
—	209,897	—	52,198	—	41,371
92,597	—	155,980	—	110,525	—
51,687	—	60	—	—	—
370,792	—	4,674	—	102,936	—
91,532	—	2,120	—	17,087	—
—	87,445	—	59,268	—	13,251
—	906,185	—	58,000	—	112,110
—	851,470	—	55,405	—	220,619
988,416	—	33,809	—	225,255	—
192,214	—	50,914	—	68,940	—
—	982,405	—	37,680	—	176,974
—	517,762	—	41,255	—	86,590
583,169	—	31,766	—	149,162	—
583,034	—	11,124	—	109,355	—
994,514	—	7,800	—	283,910	—
397,654	—	56,243	—	112,511	—
—	606,336	—	47,156	—	72,908
—	682,044	—	67,380	—	157,672
317,976	—	9,280	—	86,160	—
489,555	—	8,320	—	119,557	—
3,097,394	—	47,000	—	839,398	—
—	869,039	—	50,704	—	117,787
1,980,329	—	39,964	—	471,842	—
2,311,786	—	46,000	—	571,778	—
147,545	—	1,306	—	41,735	—
—	668,507	—	29,385	—	43,622
—	1,002,717	—	45,600	—	155,895
212,592	—	237,504	—	41,933	—
314,120	—	10,212	—	83,289	—
—	1,421,661	—	61,352	—	206,758
305,391	—	53,924	—	206,198	—
13,522,297	9,577,281	808,000	656,105	3,641,571	1,499,365
—	—	71,127	—	—	—
—	—	—	114,798	—	—
6,077	—	166,025	—	—	—
—	—	335,882	—	—	—
—	61,547	—	207,007	—	—
13,294	—	185,030	—	—	—
—	11,380	—	269,170	—	—
—	—	—	123,022	—	—
19,371	72,927	758,064	713,997	—	—

It will be seen by the accompanying table that a prohibitory law has been enacted in fifteen States and four Territories ; but as Illinois lost its law by political influences, the numbers stand thus :

States where a prohibitory law is in operation	14
Territories " " "	4
States and district where majorities are in favor of the law, but where it has not been fully enacted	5
Total prohibitory States and Territories	23
13 States and 4 Territories not yet known to be in favor of prohibition	17
Majority of States and Territories in favor of prohibition	6

	Population.	Adult males.	Area in sq. m.
Prohibition States	13,522,297	3,641,571	808,000
States not declared on the subject	9,577,281	1,499,365	656,105
Excess in favor of prohibition	3,945,016	2,142,206	151,895

Thus there is not only a majority of 3,945,016 population in the prohibition States, but there is such an excess of adult white males—voters—in those States, that if we take only an actual majority of them, and every adult white male citizen in the other States were to vote in opposition to them (and it is well known that there is a large minority in those States that would not), there are prohibitionists enough to outvote them by a large majority.

Majority of white male adults in prohibition States	1,820,786
White male adults in all other States	1,499,365
Certain majority for prohibition	321,421

Thus giving to the anti-prohibitionists the largest possible minority in the prohibition States, and the *whole* white male adult population of the other States, and it still leaves a certain majority for prohibition of 321,421.

It is true the clause of the Constitution which gives to the slave States an advantage in the apportionment of the representation will seriously limit the power of the prohibitory States in a congressional election ; but no Congress can long withstand the well-directed public opinion of such a large majority of citizens.

The friends of temperance may well take a bold stand. There is no worthy object in national legislation which they can not achieve if they be but *united*. It is with a view of aiding to bring about such a union of purpose that the MAINE LAW STATISTICAL SOCIETY has been formed. It consists of a president, a vice-president in almost every State in the Union, and a secretary at New York, whose duty it is to receive information from all parts on the subject, and to record and digest the same, so as to present it in the most accessible manner before the public. The aid and co-operation of all temperance people throughout the world is earnestly solicited.

There is much that could be added to the history of prohibition in the United States which would be of lasting interest. There is much of assiduous labor and self-denying effort throughout the country which richly deserve a record, but the limits of our present work forbid our entering upon this extensive field, and our active friends must be content with seeing the results of their labors presented here, rather than the efforts by which those results have been achieved, or the names even of those by whom this great work has been accomplished. In fact, it is a work *the people* have mainly done for themselves

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Chapter Three.

With rapture I hail the formation of the "United Kingdom Alliance for the Suppression of the Traffic in all Intoxicating Liquors." My labors, with the Divine aid, were attended with partial success. The efforts of individuals, however zealous, were not equal to the mighty task. The Alliance strikes at the very root of the evil. I trust in God the associated efforts of so many good and benevolent men will effectually crush a monster gorged with human gore.—FATHER MATHEW.

FOREIGN STATES AND NATIONS.

The prohibitory movement in Australia, Canada, France, Great Britain, New Brunswick, Nova Scotia, Prince Edward's Island, Sandwich Islands, Sweden, and Finland.

THE success of the Maine Liquor Law in Maine naturally gave rise to a movement of a similar character in the British

Provinces, and in other portions of North America, where it is evident a spirit of happy rivalry exists between the inhabitants and those of the neighboring States, sympathizing as they do on almost every subject of human liberty, morality, and commerce.

The movement has also extended itself to remote quarters of the globe. We give an outline of the movement in those places from which information has been received.

AUSTRALIA.

A Prohibitory Liquor Law League has been established in Victoria with very promising results. It was suggested by an editor, and was taken up by Mr. FULTON, who headed a list with £100 subscription, on condition that four others would subscribe the same amount. The challenge was soon taken up, and the list has become a long one.

CANADA.

The determination of the people of Canada to have a prohibitory law has been repeatedly and unmistakably expressed. The Legislature for the past two or three sessions was completely inundated with petitions praying that such law be enacted. So great has been the pressure from without, that further opposition became perilous to every member of that body who desired to maintain his position.

In 1853 the bill was only defeated by the utmost exertions of a portion of the ministry, while it was not only supported but introduced by another member of the government, who was pledged to his constituents to take that course. When the session of 1854–55 opened, a dozen members gave notice of bills on the subject, and a large committee on temperance was formed, to which to refer the petitions and the bills. Before the committee had reported, however, the second reading of one of the bills—most stringent in its provisions—was moved. The government hesitated to adopt a decisive policy on the subject. It resolved not to oppose the measure, but to allow it to be read a second time, that it might be sent to the committee on temperance. One

member of the government, Mr. Postmaster-general SPENCE, declared in favor of adding a clause to prohibit the importation. This view was indorsed by several other members who spoke on the subject, and the probabilities are, that no measure will finally pass which does not prohibit the importation as well as the sale and manufacture of intoxicating liquors.

The first vote taken on the question of prohibition in 1854 in the Legislative Assembly was in favor of the principle of prohibition, 95 to 5 against it. But notwithstanding this vote, by some adroit management on the part of the opponents of the measure, the passage has been again postponed.

There is a powerful Prohibitory League in operation in Canada, of which Mr. A. FAREWELL is president. This gentleman, accompanied by Mr. URE, the secretary of the League, visited the Maine Law States in February, 1855, and published an excellent pamphlet, entitled, *The Maine Law Illustrated*, from which we have obtained some valuable facts and testimonials. From the energy of these and other leaders of the movement in Canada, the ultimate triumph of prohibition in its most complete form of anti-importation is rendered a moral certainty.

FRANCE.

The present crisis in Europe, causing provisions to become dear, is not without its beneficial effect. It has led the Emperor of France to prohibit the distillation of grain.

With republics or limited monarchies, such a movement necessarily rests with the people; but a good example, even when set by an emperor, ought to be followed by nations, however free their institutions; and for France to take the lead in Europe in such a movement and at such a time is highly important as an example to the suffering nations of the world.

GREAT BRITAIN.

In 1834 a parliamentary committee reported on the Causes of and Remedies for Intemperance. It was recommended in that report under the head of Ultimate or Prospective Remedies:

1. To absolutely prohibit the importation of distilled spirits. 2. To prohibit all distillation of ardent spirits from grain. 3. To restrict distillation from other substances to the purposes of art, manufacture, and medicine. The chairman of that committee, JAMES SILK BUCKINGHAM, now says:

> Here, then, is the sum and substance of the Maine Law, and something more, presented by me to Parliament twenty years ago. But let us have the Maine Law first, and its successful operation will pave the way for the something more which another twenty years perhaps may realize.

The United Kingdom Alliance for the Suppression of the Traffic in Intoxicating Liquors was established in 1853, at the suggestion and by the exertions of NATHANIEL CARD, of Manchester. It has grown to great influence and importance. Among its leaders are now men of large benevolence and great philanthropic influence. Its operations are extending throughout the whole United Kingdom, and now that the press is free in that country, there is every prospect of the rapid growth of prohibitory principles.

NEW BRUNSWICK.

In 1852 the Legislative Assembly passed "An Act to Prevent the Traffic in Intoxicating Liquors," which was confirmed by an order of her British Majesty in Council, dated August 18th, 1852, thus giving the sanction of the British government to the principles of legal prohibition.

The import trade in liquors has in a great measure prevented the law from producing its legitimate results. The Legislature of 1855 wisely passed a new and more stringent law, and prohibiting the importation of intoxicating liquors. The last vote took place on the 22d of February in the House of Assembly. It stood, yeas 21, nays 17. It passed the other House without debate. The law goes into operation January 1st, 1856. This is a noble example, and that it will be followed by the other provinces and by the United States there can be no question. New Brunswick deserves great credit in taking the lead in this step.

NOVA SCOTIA.

The Legislature passed a good prohibitory law in the early part of 1855.

PRINCE EDWARD'S ISLAND.

In 1854 the Legislature was appealed to by 10,000 petitioners to adopt a prohibitory law, but they turned a deaf ear to the voice of the people. In 1855, however, after an election had taken place, the law passed by a vote of 15 to 7. Mr. COLES, the leader of the government party, has been twice defeated by the prohibitionists. He is a distiller.

SANDWICH ISLANDS.

There is a decided movement for prohibition on these islands. The following, from the New York *Tribune*, will show what is the feeling here on the subject.

Viewing as we do, says *The Polynesian*, the whole traffic in spirituous liquors to be used as a beverage as an unmitigated evil, productive only of misery and crime, we shall be glad when our treaty obligations allow us to enact the "Prohibitory Law" in this kingdom; we hope the public will never rest satisfied until we follow, in this respect, the noble example of those States that have exhibited self-denial and self-control enough to banish from their midst an enemy which tyrannizes over its miserable victims, against the dictates of reason, and subjects them to a degradation below which it is impossible for humanity to sink.

SWEDEN AND FINLAND.

A long-continued drouth in the spring of 1853 produced a famine which had the effect of turning the attention of government to the evil of converting grain into brandy when it was so scarce as an article of food. The king shortened the period of distillation for that year from six to two months, and ordered the distribution of 100,000 copies of the Treatise of Dr. HUSS on Brandy, an excellent work, showing the evil consequences of that article on the community. He also dispatched a message to Maine to inquire into the operations of the Prohibitory Law. The subject of prohibition was under the consideration of the Diet.

We have thus presented in brief a view of the prohibitory movement. The questions naturally arise: Is the law efficiently enforced? What are the effects of the law where it has been in operation? Is drunkenness diminished? Are there fewer tenants for prisons and alms-houses? Do the people suffer less under the pressure of commercial reverses? Is the public health improved? Is the Sabbath better observed, and the public peace more secure? Are there not fewer cases of extreme distress and suffering in families? And are the people, on the whole, in a more happy and flourishing condition under the enforcement of the law than before? What is the feeling of the people on the subject? To these questions a reply would have but little weight unless supported by testimony from among the people themselves. In view of the compilation of this work, we addressed a circular to a number of clergymen, governors, magistrates, etc., residing in the States of Connecticut, Maine, Massachusetts, Michigan, Rhode Island, and Vermont, in which similar questions to the above were put, and we received in reply a mass of testimony, such as could not fail to convince us that wherever the law is enforced there is it productive of all the blessings of temperance, peace, and prosperity. These we have presented as the *Results of Prohibition*, to which we refer for further history.

All we ask is a candid and careful perusal with the understanding that the circulars were sent to persons of various denominations and views of the temperance question, and without any regard to what opinions they might hold on this question. If the law has done injury to the people, we can only say we have had no report to that effect from any one who dares to indorse it with his own signature, while the opportunity to make such report has been amply afforded. We commend these statements to the serious consideration of the people and legislatures of those States and nations where the blessings of prohibition are not yet enjoyed.

Part Third.

RESULTS OF PROHIBITION.

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RESULTS

OF

PROHIBITION IN CONNECTICUT.

Chapter One.

' I hazard nothing by asserting, that no candid enemy of the law will deny, that it has proved more efficient than its most sanguine friends anticipated. It has completely swept the pernicious traffic, as a business, from the State. An open groggery can not be found. I have not seen a person here in a state of intoxication since the first of August. In our cities and manufacturing villages, streets that were constantly disturbed by drunken brawls, are now as quiet as any other. The change is so palpable, that many who have been strongly opposed to such a law, have become forced to acknowledge the efficiency of this.—GOVERNOR DUTTON, *Oct.* 30, 1854.

STATEMENTS RELATING TO THE STATE.

Unparalleled and unexpected advantages of the Connecticut Liquor Law—Population—The Prohibitory Law the result of the people's choice.

STATEMENTS OF THE GOVERNOR:—The constitutionality of the Maine Liquor Law—Stringent law the most effective—The United States Constitution in relation to seizures—The Constitution of Connecticut in relation to seizures—Forfeiture of property an ancient and customary penalty—A man's house his castle—Presumptive evidence—Process without notice—Public sentiment.

Passage of the Prohibitory Liquor Law.

TESTIMONY OF THE GOVERNOR:—The best prohibitory law—Period of enforcement—The traffic suspended—No drunkards in the streets—Crime—Families supplied with comforts—Public peace and security—Domestic security—Opposition to the law—Direct action of the Connecticut Liquor Law—Legal suasion and moral suasion—The ladies unanimous—The people of New England—The cowardice of wrong—The consummation—No drunken brawls—The State Fair—Prisons becoming tenantless—Sanctity of domestic life.

STATEMENT OF HON. HORACE GREELEY:—Maine Liquor Law Triumph.

STATEMENTS OF REV. J. W. TURNER:—Tricks of the ex-rumsellers—Two to one—Maine Liquor-Law hospitality—Fined for obtaining liquor under false pretenses.

STATEMENTS OF *The New York Tribune*:—Scarcity of convict labor—The most moral and happy State in the Union.

STATEMENT OF *The Maine Law Advocate*:—Gone to work.

STATEMENTS OF *The Norwich Examiner*:—All parts of the State—Arrests and seizures—Effects of the Maine Liquor Law on the domestic and religious habits of the people.

STATEMENT OF *The Prohibitionist*:—The wisdom, efficiency, and power of the Connecticut Liquor Law.

STATEMENT OF *The New Haven Advocate*:—All parts of the State.

1. THE experience in prohibitory legislation acquired in Maine, Vermont, Massachusetts, Rhode Island, and Michigan

seems to have been profitably applied to the formation of a law in Connecticut so completely practical and efficient in all its details as to rival all other prohibitory laws in the success of its operation and the value of its consequences. The statements we have received from all parts of the State are unanimous in according to the Connecticut Liquor Law unparalleled and unexpected advantages, and the force of public opinion in its favor has been wonderfully increased since these results have been witnessed.

2. The following statements apply to the State generally, and contain much valuable and suggestive information.

3. Population 370,792.

4. The Prohibitory Law in Connecticut is the result of the people selecting for their legislative and executive officers men who are devoted to the cause of temperance. The following statements of his Excellency Governor DUTTON, made in his annual message to the Legislature in May, 1854, show that the Prohibitory Law was no arbitrary enactment forced upon the inhabitants of this State, but was a law made in obedience to the will of the people for their own protection from their worst enemy.

STATEMENTS OF THE GOVERNOR.

5. THE CONSTITUTIONALITY OF THE MAINE LIQUOR LAW.—The question whether a law prohibiting the sale of intoxicating liquors can constitutionally be passed, and whether, if it can, it is the best remedy for the acknowledged evils which result from the sale of such liquors, is engaging the attention, not only of philanthropists, but of all classes of citizens in this State and elsewhere. In some of the States the experiment has been tried as to the practical effect of such a law; and although contradictory statements have been made by those who profess to speak from personal knowledge, the weight of testimony is strongly in favor of its success. The constitutionality of such a law has been questioned by men of high legal and political standing. But after a thorough examination of the question, I do not entertain the slightest doubt that such a law is not unconstitutional —that it does not conflict with any provision either in the Constitution of the United States or of this State, and that it does not interfere in the least with any natural rights which may be supposed to exist prior to, and superior to, any constitution or law.

6. STRINGENT LAW THE MOST EFFECTIVE.—Experience has abundantly

proved that if there is any law on the subject it should be stringent and effectual. Any attempt to legalize the sale of spirituous liquors, and then regulate and control it by fines, penalties, or other punishments for a violation of the rules prescribed, only aggravates the evil which it is designed to cure.

7. THE UNITED STATES CONSTITUTION IN RELATION TO SEIZURES.—Any law, to be effectual, must necessarily confer upon the proper authorities the power to seize, condemn, and destroy the offending articles. It must authorize, under reasonable rules and restrictions, a search for it in stores and dwelling-houses, where there is actual or presumptive evidence to show that the law has been violated; it must authorize the use of presumptive evidence when positive proof can not be obtained, or however penal it may be in other respects, it will soon become a dead letter. The first inqury is, therefore, whether such a law is or is not unconstitutional. The clauses in the Constitution of the United States which have been urged as annulling such a law are these: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrants shall be issued but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized;" no person "shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation." These provisions have been decided to be applicable only to laws of Congress, and are of importance on this question only on account of the light which they may throw on similar provisions in the Constitution of this State.

8. THE CONSTITUTION OF CONNECTICUT IN RELATION TO SEIZURES.—The provisions in the Constitution of this State are: "The people shall be secure in their persons, houses, papers, and possessions from unreasonable searches and seizures; and no warrant shall issue to search any person or things without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation." "In all criminal prosecutions the accused shall have a right to be heard by himself or his counsel; to demand the nature and cause of the accusation; he shall not be compelled to give evidence against himself, nor be deprived of life, liberty, or property, but by due course of law." "The property of no person shall be taken for public use without just compensation therefor." These, if not all, are the strongest expressions in the Constitution. It will be seen, by a comparison of them with those taken from the Constitution of the United States, that they are more explicit. The rights of citizens are in no State more effectually guarded than in the State of Connecticut. Nothing, however, can be clearer than that by these same provisions it is assumed that some searches and seizures are lawful, and that a man may, for some causes, be deprived

of life, liberty, and property: both may be done, if done by due course of law. If, therefore, the law prescribes particularly where, and how, on probable cause, supported by oath or affirmation, searches are to be made, and for what cause and in what manner property may be seized and the owner deprived of it, how can it be claimed that such acts are unconstitutional? But laying aside the language of the Constitution, it is a well-settled principle of law and of common sense that every rule should be so construed as to accomplish, and not defeat, the object for which it was adopted. A different construction would be suicidal and absurd. A body politic, which should, by a constitution, restrict its own power in such a manner as to be unable to secure the happiness of its members, would commit an act of as great folly as a man who should bind his limbs in fetters so that he could not defend himself against an enemy. It can not be presumed that our ancestors left such a pernicious legacy to their posterity.

9. FORFEITURE OF PROPERTY AN ANCIENT AND CUSTOMARY PENALTY.—Forfeiture of property for criminal offenses, and even for violations of statutes, is as ancient as the common law itself. Every penalty imposed by law amounts to the same thing; for what difference can it make to a citizen whether he is confined in jail, by law, till he pays one hundred dollars, or whether a horse is taken from him, by law, worth one hundred dollars? And what difference does it make to him whether the horse is sold and the money put into the treasury, or whether it is killed? If a man, by violation of law, can forfeit his liberty, and even his life, can he not, for a similar reason, forfeit his property? Is a cask of liquor to be regarded as more sacred than liberty and life? The Legislature of this State have, time after time, provided that articles used in violation of law might be searched for, seized, and destroyed, and no suggestion was ever made that these laws were unconstitutional. The Constitution provides, indeed, that searches and seizures shall not be unreasonable. But how can an act be regarded as unreasonable which is nothing more than what is necessary to carry a law into execution? And what right has an individual to complain of an act which he himself has rendered necessary by his own suspicious and unlawful conduct?

10. "A MAN'S HOUSE IS HIS CASTLE."—It has been said by a high dignitary in a neighboring State that "a man's house is his castle;" that "it can not legally be searched, although the occupant is charged with treason or murder," and that "the only deviation" from this principle "is in cases of searches for stolen property, which are allowed upon the ground that they are designed to restore it to its lawful owners." I know of no such rule in any system of jurisprudence. It is contrary to the whole spirit of the common law. A dwelling-house is a castle to peaceable, law-abiding citizens—not a citadel for enemies of the State. Such a doctrine as that contended for would enable a man to make his house an asylum for felons, and a depôt for the tools of counterfeiters and burglars. Any malicious

villain could, by filling his place of residence in a populous city with casks apparently containing powder and barring his doors against the police, strike terror into the inhabitants, and drive them from their homes.

11. PRESUMPTIVE EVIDENCE.—Many persons manifest much alarm at the idea that presumptive evidence is to be held sufficient proof of a breach of the law; but this is familiar doctrine in courts of jurisprudence. Thousands have been convicted of theft merely on the evidence resulting from the possession of stolen property. The presumptive proof arising from finding articles belonging to a victim of murder, when unaccounted for, has carried many criminals to the gallows. The difficulty of proving innocence in all such cases is greater than it would be when a person is charged on presumptive evidence with selling liquors contrary to law. Such captious objections always have been made, and always can be made, to any law which is sufficiently stringent to be effectual for the prevention of crime. A resort to such grounds of opposition furnishes presumptive proof that the person who does it is opposed to the principles of the law, and does not wish it to be effectual. Sober, industrious, peaceable, patriotic citizens demand stringent laws. They have no fears of sheriffs or magistrates. Their domicils are as secure from intrusion, and their property from seizure, under a prohibitory liquor law, as under a law against swindling. Legislatures and jurists ought to regard the wishes of this class, rather than of those who never look at a law except to see how to evade it.

12. PROCESS WITHOUT NOTICE.—Much discussion has arisen on the question, whether process can constitutionally issue against property, without notice to the owner. Doubtless, when the owner can be discovered, he should be regularly served with notice; but when he intentionally conceals his ownership, the well-known maxim applies, that no man can take advantage of his own wrong. It would be strange, indeed, if the owner of a nuisance could make it perpetual by skulking, and thus avoiding legal process.

13. PUBLIC SENTIMENT.—It being then clearly within the power of the Legislature to pass such a law, the most difficult question to solve is, whether such a law ought to be made; which resolves itself into the question, whether it is demanded by the voice of the people. This is a question which you, gentlemen, are better qualified to answer than I can be, and I shall rely with confidence upon your responding fully to the will of your constituents, whether that in an immediate passage of a prohibitory law, a submission of such a law to the action of the people, or a postponement of the subject to some future occasion. If in your judgment a majority of your constituents demand such a law, I have no apprehensions regarding its success. The signs of the times clearly indicate that public sentiment is rapidly changing in favor of it. The institutions of this State are of the most liberal character, and the people are so strongly imbued with the democratic principle of obedience to the will of the majority, that those who doubt the

justice or expediency of the law would doubtless resort only to constitutional and legal measures for its abrogation. If such a law is passed, great care should be taken to guard it in every possible way from being used as an instrument of injustice or oppression.

14. The passage of the Prohibitory Liquor Law, to take effect on the first of August following, was the response of the Legislature to this advice of the Governor, and the following statements made by Governor DUTTON, at a meeting in the Tabernacle, New York city, in December last, held in celebration of the triumph in New York State at the fall election, will show how far the expectations of the friends of prohibition were fulfilled.

TESTIMONY OF THE GOVERNOR.

15. THE BEST PROHIBITORY LAW.—As a witness to the merits and utility of a prohibitory law I am able to speak. I think it is not too much to claim for the Connecticut law that it is the best prohibitory law ever framed, because it was framed after long deliberation, and with a special regard to its being consistent with other existing laws.

16. PERIOD OF ENFORCEMENT.—The Maine Liquor Law was first enforced on the first of August, 1854, and its operation has been decidedly successful.

17. THE TRAFFIC SUSPENDED.—Not a grog-shop, so called, is to be found in the State of Connecticut since the law came into force. No matter what the local balance of interest in any town, city, or spot in the State, the law was so framed that it should operate in all and each. I do not mean that there are not a few dark spots where, by falsehood and secrecy, evasion may be managed; but, in a word, the traffic is suspended.

18. NO DRUNKARDS IN THE STREETS.—The effects are all that could be wished. I have not seen a drunkard in the streets since the 1st of August. I had not been in New York ten minutes before I saw a man drunk. Such is the contrast between a State with and one without a Maine Law.

19. CRIME.—The statistics of crime have been materially diminished; the crimes which directly result from rum have fallen away fully half.

20. FAMILIES SUPPLIED WITH COMFORTS.—There are hundreds—I have no doubt thousands of families—who are in this inclement weather well supplied with comforts, who, but for our law, would be destitute.

21. PUBLIC PEACE AND SECURITY.—The general effect is a sober, calm, quiet air of security pervading the whole community, which is delightful to behold and enjoy.

22. DOMESTIC SECURITY.—There is one idea that a prohibitory law will invade personal and domestic security; the father of lies never invented a greater. You feel more secure when rowdyism fills the streets? Do you

suppose that under the law your firesides would not be secure, and that they could be invaded under the pretext of ascertaining if you sold liquor? No such thing.

23. OPPOSITION TO THE LAW.—The opposition predicted to the enforcement of the law is not realized; I have never known it opposed; its enemies can not get up a combination against it, because it commends itself to all men's judgments, and is better liked the longer it is known. Another reason is, the incentive to violence is taken away; riot is always preceded by rum. Take away the rum, and you can't have the riot; and this is the great advantage of a prohibitory law.

24. DIRECT ACTION OF THE MAINE LIQUOR LAW.—Its beauty is its simplicity. When you see a nuisance you at once remove it; that is our principle; we take the "abominable thing" and put it away in some safe place. So, when we see an individual unable to take care of himself, we simply take him (no matter who he may be) and put him where he can not hurt himself or others.

25. LEGAL SUASION *versus* MORAL SUASION.—We have found by practice that legal suasion is better than moral suasion. The latter is quite useless, except with moral men. When men are governed merely by appetite or love of gain, moral suasion has no effect; legal suasion saves breath and labor, and accomplishes the object in the simplest manner possible.

26. THE LADIES UNANIMOUS.—The ladies are all on the side of temperance, and surely gentlemen will not be so ungallant as not to take places by the side of the ladies.

27. THE PEOPLE OF NEW ENGLAND.—The people are for temperance; five States in a row have come out square for it.

28. THE COWARDICE OF WRONG.—Let no man be deceived with the idea that blood would flow in opposition to the law. Men are cowards when in the wrong.

29. THE CONSUMMATION.—When this great cause prevails, our country will be indeed the most free, the most glorious, and the most happy on the face of the earth.

30. NO DRUNKEN BRAWLS.—In our cities and manufacturing villages, streets that were previously constantly disturbed by drunken brawls, are now as quiet as any other. The change is so palpable, that many who have been strongly opposed to such a law, have become forced to acknowledge the efficiency of this.

31. THE STATE FAIR.—At the late State Agricultural Fair it was estimated that on one day from 26 to 30,000 persons of every condition of life were assembled, and not a solitary drunkard was seen, and not the slightest disturbance was made. The effect was so manifest that the law has been regarded with more favor since than it was before.

32. PRISONS BECOMING TENANTLESS.—The statistics of our courts and

prisons prove that criminal prosecutions are rapidly diminishing in number. Some jails are almost tenantless.

33. RESISTANCE TO THE LAW UNPOPULAR.—The law has been thoroughly executed with much less difficulty and opposition than was anticipated. In no instance has a seizure produced any general excitement. Resistance to the law would be unpopular; and it has been found in vain to attempt to set it at defiance. The longer the beneficial results of the law are seen and felt, the more firmly it becomes established.

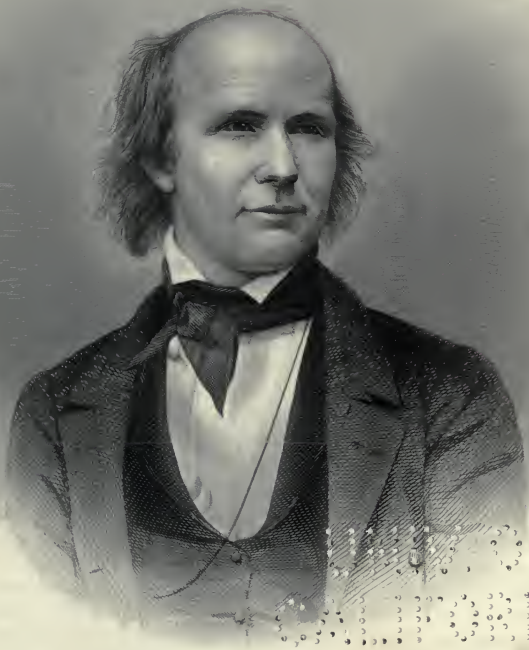
34. SANCTITY OF DOMESTIC LIFE.—The ridiculous idea so industriously circulated, that the sanctity of domestic life would be invaded, has been shown to be a mere bugbear. *The home of the peaceable citizen was never before so secure.* The officers of the law have no occasion to break into his dwelling, and he is now free from the intrusion of the lawless victims of intemperance.

STATEMENT OF HON. HORACE GREELEY.

35. MAINE LIQUOR LAW TRIUMPH.—Connecticut only passed the Maine Law last spring. We struggled up there through three years of disaster, but we finally succeeded. There were many predictions that it would not be passed, and if passed, would not be signed by the Governor; and if signed by the Governor and made a law, could not be sustained. But we knew the law would triumph—that it would not be broken down. Does any man say so now? Why, let "Connecticut" be spoken, be but whispered among a dozen Anti-Maine Law men, and it disperses them just as though a bomb-shell had fallen among them

STATEMENTS OF REV. J. W. TURNER, OF PORTLAND.

36. TRICKS OF THE EX-RUMSELLERS.—It is really amusing to see how very sensitive some men are, especially when they happen to be on the wrong side of any great public question. I have been traveling considerably in "the land of steady habits," and am perfectly amazed to see what a good work the former landlords of rum-selling taverns are doing for our noble cause, and to see how hard they toil to accomplish it. I was going over a familiar road with my own conveyance on a warm summer day, and would drive up to a public house, where I had been in the habit of watering my horse—but the pump-handle is carelessly left out; to another, the chain-pump is nailed fast; to another, the large watering-trough is completely fenced round. By this time I understood the game. I remembered it was the first of August, and the "new law" was going into effect with a manifest demonstration. Never mind, said I, this will all help the law. Thank God, the brooks are free! I just looked out for them, and had plenty of water without the rum, and became altogether independent of those public benefactors, who would punish the poor horse because they can not longer tempt and ruin man. But their day of reckoning comes, and unless I en-



Engraved by J.C.Buttre.

Horace Greeley.

UNIV. OF
CALIFORNIA

tirely miscalculate, all this will work against them in its reaction, and not, as they may fondly dream, in their favor.

37. TWO TO ONE.—In one instance where a hotel-keeper fenced up his well, the good people of E. H. went forthwith and dug two others in the street close by, which are much more convenient than the former. That is the way. These men will find two to one, all over the State, before they get through.

38. MAINE LIQUOR LAW HOSPITALITY.—On the hottest day of the season I rode fifty miles with a horse and buggy, so as to reach home that night, as my family were unwell, and I knew not how sick they were. We were detained by the shower; it was half-past eight o'clock in the evening when we reached the river bank, one mile from home. I tried to raise the boatman who lived on the other side; but finding it impossible, we rode back two miles to the public house, the only one within five miles, and called for the landlord. As he came to the door, I told him all the circumstances of our case, and then inquired if I could hire a horse at any price, to drive around by way of H., some fifteen miles. He said his horses were all engaged, and, I doubt not, he was honest in this. "Then," said I, "as the last resort, you will have to keep us over night," for it was nearly ten o'clock. "No," said he, "I have dismissed my cook, and have no accommodation for travelers." Therefore he could not give us shelter for ourselves or feed for the horse, which were all we pretended to ask; he had dismissed his cook. "But," said I, "you have your sign up still, so I supposed, of course, you kept open doors." He said, "I have a right to put what I choose on my house; but they have taken away my license, and I can not keep you. Under the circumstances I am sorry, but can not help it. I would accommodate you if I could." "Very good," thought I, "certainly, of a man so conscientious, I will neither claim nor beg admission, but make the best of our case." We turned about and drove off. We called at the first house where we saw a light, feeling that while *we* could do well enough, the poor *animal* that had been driven the last mile he ought to be, we must at some rate provide for. A man came to the door; I told him a part of my story. He said, "It is too bad; we must accommodate you some way." "No," said a lady, who had been listening to our conversation, "I have had company come in this afternoon, and it will not be possible." Now a bright thought struck me. "What is the name of your minister?" "Rev. Mr. L." "Oh, yes." "Do you know him?" "I have seen him, but shall not go to him on the score of old acquaintance, but rather on the ground of necessity and mercy, thinking that from his *profession* he is a man who will make some effort, if need be, some *sacrifice* 'to entertain strangers,' rather than to have them sleep out doors." Obtaining the direction to the good man's house, we drove on, the rain coming down in torrents. We called upon the Rev. Mr. L., stating our case, telling him who and what we were, and then inquired if he did not know of some family among his people that would be willing, un-

der the circumstances, to afford us shelter for the night. "Well," said he, "I do not care to; come in *here;* no apologies. You are not the first, nor I hope the last; for we should be glad to keep a half-dozen travelers every night for the sake of shutting up that rum tavern. We *used* to think that landlord a very gentlemanly, clever fellow when he was allowed to sell all the rum he chose; but now, under the pressure of the new law, he begins to show out what he is—to show the 'cloven foot.' Never mind, it will all help our good cause." For the first time in all my travels I threw myself upon the warm hospitality of the minister. His welcome was so cordial and earnest I could not well decline it; and under its mellowing influence I could hardly help thanking the crabbed landlord for unwittingly sending us to so much better quarters, and so much better company than, under any circumstances, we could have found in his own house. Certainly we shall not soon forget the kind attentions of our new host and hostess. Nor could we forbear still blessing the reign of the new Maine Law, especially when we thought of the hundreds through the State that were even then keeping their happy jubilee over sober, if not redeemed, husbands, fathers, sons, and brothers, and the thousands more that would soon come forth to join their ranks. For what is our inconvenience of an hour or two compared with their keen, poignant sufferings of a life?

39. FINED FOR OBTAINING LIQUOR UNDER FALSE PRETENSES.—At one hotel which had been kept for several years on temperance principles, the enterprising landlord, learning that I resided in Maine, said: "We have a law here in Connecticut now that casts *your* Maine Law all into the shade." "How is that?" "We have an agent appointed in each town, as you have, to sell spirits under certain restrictions. It is his duty to inquire of every purchaser whether he wants the spirit for mechanical or medicinal purposes. If so, the agent's responsibility is at an end. He may sell, but then if it can be proved that the buyer did not want it for either of these purposes, the law seizes the latter. Only yesterday a man here in the village was taken up; it was proved that he had misrepresented in the matter, *so he was fined and made to pay over twelve dollars for a pint of brandy.*" That is a clincher. Why can we not have something of the kind, or better, in our Maine Law? Men would soon get tired of paying "so dear for the whistle," and I doubt not, in some localities, the present prevailing sickness would come to a very sudden end.

October 3, 1854.

STATEMENTS OF THE NEW YORK TRIBUNE.

40. SCARCITY OF CONVICT LABOR.—A friend was lately conversing with the keeper of the Connecticut State Prison, who complained of his inability to supply the contractors for labor in that institution with the number of men bargained for in their several contracts; for, said he, "we have a good many going out from time to time, and almost nothing coming in." If the

Prohibitory Liquor Law of that State should be as well enforced through the next three years as it has been through the last three months, we apprehend that the keeper will have to repudiate his still outstanding contracts altogether, or hire honest, unconvicted laborers to work them out. We caution the managers of our State Prisons against making contracts ahead for the labor of any thing like the present number of prisoners. We are going to have a prohibitory liquor law, gentlemen! and that insures a great reduction of the convict force in our State Prisons. Be good enough to shape your contracts with a view to this fact.

41. THE MOST MORAL AND HAPPY STATE IN THE UNION.—By the way, Connecticut is this day the most moral and happy State in the Union, by reason of her Prohibitory Law. It is well enforced, and it is doing even more good than its friends anticipated.

STATEMENT OF THE MAINE LAW ADVOCATE.

42. GONE TO WORK.—An ex-dramseller in Connecticut was asked a few days ago what had become of his customers, quite a number of whom might be found at almost any hour in the day hanging around his shop. His reply was, with an oath, "I s'pose they've gone to work." The expression, rough and heartless as it was, contains much of truth. "Gone to work!" and why? The carcass is removed; the article that called them to hover around his groggery, and there to spend their time, to the neglect of all else, is under the ban of an iron law, and not being able to procure it, they find now no occasion to laze away the hours of either day or night, to the neglect of their families, or to longer bestow their patronage on the one who, taking advantage of their weakness, has done so much to debase and destroy them

STATEMENTS OF THE NORWICH EXAMINER.

43. ALL PARTS OF THE STATE.—From all parts of the State we have the most cheering accounts of the new Liquor Law, and of the determination of its friends to secure for it a fair trial.

44. ARRESTS AND SEIZURES.—Arrests and seizures have been made in Hartford, New Haven, Norwich, Bridgeport, Danbury, Westport, Norwalk, Waterbury, Walcottville, and Derby.

45. CARSON LEAGUES.—Carson Leagues, or associations involving the same principle, are coming into shape all over the State, to give efficiency to the law.

46. EFFECTS OF THE MAINE LIQUOR LAW ON THE DOMESTIC AND RELIGIOUS HABITS OF THE PEOPLE.—The effects of our law consist not simply in closing rum-shops, preventing disorder and crime, and emptying prisons and alms-houses; they are already felt, we believe, in many a family that has long been cursed with the evils of intemperance. Many a miserable abode has been converted into a pleasant, happy home; many a heart-broken wife gladdened by the reformation of her intemperate husband;

many a group of suffering children provided with the comforts of life. Indeed, wherever the influences of the liquor traffic have been felt in years that are past, there the influences of this most excellent law are felt *now;* and the tendency is to prevent, and in a measure to undo, the countless evils which flow from the traffic in ardent spirits. These thoughts have been suggested by a particular case which we have had occasion recently to notice: A man who for several years has not even entered the sanctuary or attended any religious meeting whatever, has been repeatedly of late in the house of God on the Sabbath. For a long time neither himself nor his family were provided with clothing suitable to enable them to attend public worship. The money that should have been used in purchasing clothing and other articles necessary to their comfort, was expended for rum. But they are all well dressed now, and we shall be greatly disappointed if they are not, in future, habitual attendants upon the sanctuary. They are provided, too, with the comforts of life, and prepared for the approaching winter far better, probably, than they ever were before. Who can witness one such case without lifting his heart to God and thanking him for this Prohibitory Law? Who can think of hundreds like it scattered all over the State, and not feel himself called upon to do all in his power to enforce and perpetuate this law?

STATEMENT OF THE PROHIBITIONIST.

47. THE WISDOM, EFFICIENCY, AND POWER OF THE CONNECTICUT LIQUOR LAW.—The meeting of the State Society was held in Hartford on November 16th, 1854. An excellent and hopeful spirit prevailed, and the reports from various sections of the State were of the most cheering character, showing that the law was everywhere bringing forth its legitimate fruits in the diminution of drunkenness, pauperism, and crime, and the improved moral and physical condition of many who had, previous to its enactment, been the victims of intemperance. The following resolution, among others, was unanimously adopted:

Resolved, That the universal experience of the people, under the operation of our excellent Prohibitory Law, fully confirms our most sanguine expectations, and establishes on a firm and sure basis its wisdom, efficiency, and power.

STATEMENT OF THE NEW HAVEN ADVOCATE.

48. ALL PARTS OF THE STATE.—From all parts of the State the tidings continue to come to us of the excellent workings of the Connecticut Liquor Law. The diminution of intemperance, the reduction of crime and pauperism, the better observance of the Sabbath, etc., are the themes of rejoicing from every quarter. Men who voted against the law, and who have heretofore been its bitter opponents, are now its firm friends, and pledge it their future support.

Chapter Two.

The home of the peaceable citizen was never before so secure.—GOVERNOR DUTTON.

FAIRFIELD COUNTY.

Tranquillity and happiness of Fairfield County—Population.
DARIEN.—Population—From Rev. EZRA D. KINNEY:—Period of enforcement—Public opinion—The Sabbath—Public tranquillity.
NORWALK.—Population—From Rev. EDWIN HALL:—Period of enforcement—Quietness, order, and industry—Improvement of countenance—Reclaimed from intemperance—Lounging and idleness—Trade and industry—The Sabbath—Attendance at church—Public opinion.
STAMFORD.—Population—From Hon. W. D. MINOR:—Drunkards seldom seen—No danger to the poor man's castle—Property improved—Public opinion.

1. THE tranquillity and happiness which now prevails in the county of Fairfield are sufficiently indicated by the following concise statements, which need no comment.

2. Population 59,775.

DARIEN.

3. Population 1,454.

From Rev. EZRA D. KINNEY, Congregationalist.

4. PERIOD OF ENFORCEMENT.—Since August 1, 1854.

5. THE SABBATH.—I think that Sabbath observance has increased.

6. PUBLIC OPINION.—All respectable citizens highly approve of the Maine Liquor Law.

7. PUBLIC TRANQUILLITY.—There was formerly much rum drank here, for a place of this size. There was formerly much wrangling, but all is quiet now.

January 5, 1855.

NORWALK.

8. Population 4,651.

From Rev. EDWIN HALL, Congregationalist.

9. PERIOD OF ENFORCEMENT.—Since August 1, 1854.

10. QUIETNESS, ORDER, AND INDUSTRY.—The increased quietness, order, and industry are remarked by all.

11. IMPROVEMENT OF COUNTENANCE.—The improvement is visible in the countenance of almost every person whom I have known as addicted to strong drink.

12. RECLAIMED FROM INTEMPERANCE.—So far as I know, every person who was heretofore addicted to intemperance has become sober.

13. LOUNGING AND IDLENESS.—Not half the time is spent in lounging and idleness, within my observation, that there was before.

14. TRADE AND INDUSTRY.—I expect, as a natural result of these improvements, that the legitimate home trade and industry have proportionably increased.

15. THE SABBATH.—There are no Sabbath brawls and riots among the low Irish, as there were before.

16. ATTENDANCE AT CHURCH.—The attendance at my church is on the increase and was before, but not merely from this cause. The rum dealers and drinkers abandoned us years ago.

17. PUBLIC OPINION.—There is but one voice and one opinion among the citizens on this subject. Scarcely a man of any character refuses to acknowledge the palpable benefit and wholesomeness of the law.

January 2, 1855.

STAMFORD.

18. Population 5,000.

From Hon. W. D. MINOR, Judge of County Court, Fairfield County.

19. DRUNKARDS SELDOM SEEN.—Drunkenness was rife in the village of Stamford previous to the passing of the law; since then very few cases have come under my notice.

20. NO DANGER TO THE POOR MAN'S CASTLE.—The opposition to it is chiefly based on the assumption that it interferes with the natural rights of the citizens, and the danger of the poor man's castle being invaded. But not a single case of hardship from the right of search has ever been heard of; in fact, search can not be made in a private dwelling unless there are very good grounds for the authorities to entertain the belief that the owner has invaded the *sacredness* of his own house with the rum bottle, and turned it into a dram-shop.

21. PROPERTY IMPROVED.—The law is decidedly beneficial, and property-holders everywhere are becoming more and more in favor of its strict enforcement.

22. PUBLIC OPINION.—So strong is its hold upon the community already, that no political or other combination, in my opinion, could be entered into to repeal the law. Any change will be to make it more stringent in order to its more thorough enforcement. Public opinion is bearing in strongly in favor of the law, and I have no doubt that in a few years it will be as easily and as thoroughly enforced as the laws against theft, licentiousness, and gambling.

February 7, 1855.

Chapter Three.

Since the 1st of August last (when our law went into operation) I have not seen more than one or two instances of intemperance in the streets. The instances are now, indeed, rare. The quiet in our city is altogether undisturbed. I live in a place in town where I have frequently heard persons pass who, from their conversation, it was evident, had been drinking. Since the 1st of August I have seldom heard any such language. Our streets are now comparatively quiet. I have no doubt that the effect in this city has been exceedingly good. If drinkers go to the liquor shops—and I believe some of them go yet—they are particularly careful to come away before they are so tipsy as to make a noise in the streets. To say that there is as much drinking now as there was, is to assert an impossibility—because the houses are nearly all given up, and those who do sell must do it in darkness.—HON. CHIEF JUSTICE WILLIAMS.

HARTFORD COUNTY.

Efficient enforcement of the Prohibitory Law—Population—From Rev. Mr. BUSH, of Norwich:—Reclaimed from intemperance—Jails and alms-houses.

CANTON.—Population—From the *Hartford Courant*:—Working of the Maine Liquor Law—The Maine Liquor Law enforced—Carson Leagues—The former condition of the town.

ENFIELD.—Population—From Rev. W. E. DIXON:—Period of enforcement—The Sabbath—Attendance at church—Sale of liquor not respectable—Grog-shops closed—Violations of the law—Advantages of the Connecticut Prohibitory Law.

HARTFORD CITY.—Population—From Rev. WARREN G. JONES:—Period of enforcement—Crime—Public health—Trade—Attendance at church—Public opinion—Domestic improvement.—From Rev. J. W. TURNER:—The triumph of the wicked is short.—From Rev. J. BIRD:—The peace of the suburbs—Public opinion.—From Mr. BENNING MANN:—Drinking diminished.—From Mr. L. L. COLES:—Drunkards decreased ten to one.—From Rev. DAVID HOWLEY:—The Maine Liquor Law from Heaven.

NEW BRITAIN.—Population—From Mr. ALFRED ANDREWS:—Period of enforcement—The Sabbath—Opponents becoming friends—Value of the Maine Liquor Law—Public opinion—Industry and economy—Virtue, morality, and religion—A family made happy—Cured and restored.

PLAINVILLE.—Population—From Rev. JOEL L. DICKINSON:—Period of enforcement—Public health—Reclaimed from intemperance—The Sabbath—Public opinion—Order and quietness—A tree known by its fruit—The greatest earthly blessing.

SIMSBURY.—Population—From Rev. SAMUEL T. RICHARDS:—Period of enforcement—Assaults—Reclaimed from intemperance—Trade—No prosecutions—Illegal sale of liquor—Rumselling holed—The value of the Maine Liquor Law—Public opinion—Distilleries—A nervous distiller.

SOUTHINGTON.—Population—From Rev. E. C. JONES:—Crime—Public health—Reclaimed from intemperance—The Sabbath—Public opinion—Converts to the Maine Liquor Law—Families provided for—Enforcement of the Maine Liquor Law—The Connecticut Liquor Law.

SUFFIELD.—Population—From Rev. DANIEL HEMANWAY:—General benefits of the Maine Liquor Law—Acquiescence—Opposition—No legal sale of liquor—Clandestine sale—Intemperance diminished.

WEST HARTFORD.—Population—From Rev. MYRON N. MORRIS:—Period of enforcement—Less drinking—The Sabbath—Public opinion—The sale of liquor prohibited.

1. THE advantage of an efficient enforcement of the Maine Liquor Law is clearly indicated in Hartford County, and, indeed,

in every county in this State. The evidences of improvement are so abundant and striking, that no one can travel through the State and not observe how it contrasts with other parts of the country where no such law is in operation. There is credit due to the officers of justice in Connecticut for the faithful manner in which they have discharged their duty, and especially is this the case in Hartford County, the most thickly populated, and consequently requiring the greater vigilance of the authorities. We say there is credit due. We know they have only done their duty, but in contrast with the officers of other States they deserve high commendation.

2. Population 69,967.

From Rev. Mr. BUSH, of Norwich.

3. RECLAIMED FROM INTEMPERANCE.—I could give a long list of names of men formerly idle and drinking, who are now sober and industrious. So it is in Hartford County.

4. JAILS AND ALMS-HOUSES.—Their jails and alms-houses are almost empty. These are samples of the effects of the law.

CANTON.

5. Population 1,986.

From the Hartford *Courant.*

6. WORKING OF THE MAINE LIQUOR LAW.—The Maine Liquor Law works admirably in Canton.

7. THE MAINE LIQUOR LAW ENFORCED.—The law is very generally strictly regarded by our citizens. If it be violated by either manufacturer or drinker, the officer whose duty it is will see the prescribed punishments meted out to the offenders.

8. CARSON LEAGUES.—Organizations are being formed for enforcing the law to the letter.

9. THE FORMER CONDITION OF THE TOWN.—Previously to the memorable 1st of August, this town, in common with many others of the State, was the scene of much drunkenness and disorder. Grog-shops were open night and day, and the toper did little but lie at them, leaving his family to want and suffering.

ENFIELD.

10. Population 4,460.

From Rev. WM. E. DIXON, Congregationalist.

11. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

12. THE SABBATH.—The Sabbath is now better observed

13. ATTENDANCE AT CHURCH.—The attendance at places of worship has improved as an invariable result of increased sobriety.

14. SALE OF LIQUOR NOT RESPECTABLE.—No respectable man is now engaged in the liquor traffic in this town.

15. GROG-SHOPS CLOSED.—All the grog-shops are closed.

16. VIOLATIONS OF THE LAW.—Some low sort of persons have violated the law, and they have been prosecuted, their business stopped, and liquor forfeited.

17. ADVANTAGES OF THE CONNECTICUT PROHIBITORY LIQUOR LAW.—The Connecticut Liquor Law is an excellent one, in its avoiding the unconstitutionality of the seizure clause of the Massachusetts law, first enacted, and in releasing him who discloses of whom he purchased the liquor.

December 18th, 1854.

HARTFORD CITY.

18. Population 13,555.

From Mr. DAY, Editor of the Hartford *Courant*.

19. THE WORK-HOUSE.—Commitments in July, 1854 20
In August, 1854. 8

Decrease under the Maine Liquor Law 12

In August, 1853 16
In August, 1854 8

Decrease under the Maine Liquor Law 8

There have been twenty-three persons discharged from the work-house since August 1st, 1854; and on Saturday, September 9th, there was not a single male person in the work-house, which, except for two females, would have been tenantless. There has not been a parallel to this state of things at any season of the year for eight years, at least—for how much longer we do not know, but presume there never was. Is there a sane person who doubts for an instant what has caused these results?

February 7, 1855.

From Rev. WARREN G. JONES, Congregationalist.

20. PERIOD OF ENFORCEMENT.—Since August 1st 1854.

21. CRIME.—Crime has diminished, I should think, at least seventy-five per cent.

22. PUBLIC HEALTH.—Physicians complain of having nothing to do.

23. TRADE.—The increase in legitimate home trade is very great. One grocer told me that his business had increased one third. Another said he had twelve men with plenty of cash on Saturday evenings, at his store, who had always before been represented by little girls with a few cents.

24. ATTENDANCE AT CHURCH.—The attendance at my church has already been increased to some extent.

25. PUBLIC OPINION.—The general feeling of respectable citizens is in favor of the law.

26. DOMESTIC IMPROVEMENT.—I know of a number of families who were cursed with poverty, vice, and wretchedness, who have now all the comforts of life, good character, and are happy in all the domestic relations. The Temperance Liquor Law of this State has done a great work for very many families, and we believe it is destined to eradicate an evil which has no parallel in causing human degradation and suffering.

December 23*d*, 1854.

From Rev. J. W. TURNER, of Portland, Maine.

27. "THE TRIUMPH OF THE WICKED IS SHORT."—Mr. S——, a staunch temperance man of W., went to Hartford about the time—the day, or day after—the law went into operation. He called, on some business, at a grocery and provision store, where he had traded occasionally, and was well known. "Ah! Mr. S.," said the grocer, "I am very glad to see you; where's your jug? For a few days past all the temperance men around have been in to get their jugs filled, and I suppose you have come too. I have not had such a run of business for years," chuckling and glorying in his supposed advantage over his old acquaintance. But the honest, solid farmer had handled and broken too many wild colts to be easily frightened by such unprovoked and rough treatment. He mildly but firmly assured the grocer that he might depend upon it his triumphing was short, that the law must and would be sustained, and that *he* would come to like it as well as any body when he should see how well it worked. The grocer laughed at the absurd idea, and a very earnest discussion of the question at issue followed. A number of weeks after the farmer made it convenient to call again at this store. He saw the desirable change already effected. He met the grocer, and accosting him very pleasantly, said, "What does all this mean? What has become of all the old barrels and loungers that used to block up my way out here? And what makes you look all so nice and prosperous now? Doing a good business, too. The new law is beginning to work, *I guess*." He was a pretty good Yankee, and dodged away without waiting to hear the unnecessary explanations of the deep mystery.

October 3*d*, 1854.

From Rev. J. BIRD.

28. THE PEACE OF THE SUBURBS.—I reside in the suburbs of Hartford. Previous to the operation of the Maine Liquor Law, five months ago, we were regularly disturbed on Saturday and Sunday evenings by the loud shouts and Bacchanalian songs of the countrymen returning from the city to their homes. These disturbances were sometimes attended by other acts of annoyance, such as the removal and hiding of street gates, and the sign-boards of mechanics. From the day that the law was to become operative we have heard nothing of the kind—*not a single case*. Drunkards were

often seen reeling along these streets, but since the law came into force the writer has not seen one. The neighborhood is now quiet, and one may come and go, by night or by day, without fear of violence from the man whom rum has made mad.

29. PUBLIC OPINION.—So far as I know, the feeling of all respectable citizens is universally in favor of the Maine Liquor Law.

December 21, 1854.

From Mr. BENNING MANN, Counselor at Law, City Police Clerk.

30. DRINKING DIMINISHED.—I have been police justice here for the last twenty years, and I know a very great difference since this law went into operation. I think that when the people become tired of selling in violation of the law, my occupation will be pretty nearly gone. If you stop drinking you stop the cause of all the quarrels and fights. It is perfect nonsense—it is a perfect falsehood to say that the law has increased drunkenness. That drinking is totally stopped, nobody claims; but it is stopped at least three fourths. I have known some of our constables here have as high as $90 in a quarter for fines for breaches of the peace; if they reach $25 now it is the head. The parties brought before the police court will average eight out of ten Irish. The Irish are our only foreign population, with a few Germans.

From Mr. L. S. COLES, Policeman.

31. DRUNKARDS DECREASED TEN TO ONE.—I have been a policeman here since the 1st of May, 1854. I have seen ten men drunk on the streets before this law passed for one that I have seen since. These men, although they would have been liable for prosecution under the new law, were not taken up under the old law. It was only when a drunken man was making some assault that he was taken up formerly. On one Sunday, before the law was passed, I arrested seven men for breaches of the peace while in drink. Since the 1st of August I have only arrested two men on Sunday for being drunk. There are eight night-watchmen, and seldom a night passed without some man being taken up by them for beating his wife or children while in a state of intoxication. Now it is a rare thing to take up one. This law has taken at least $6 a month right out of my pocket, for we have no fines now. It would be almost impossible to make any one believe the difference in the quiet of our city.

From Rev. DAVID HAWLEY, City Missionary, Hartford.

32. THE MAINE LIQUOR LAW FROM HEAVEN.—I have been in the field as city missionary for three years and a half. I have a Mission Sabbath School, planned after the Five Points School of New York. Since the 1st of August it has increased more than one third in numbers. Before that time there was hardly a Sabbath but there was some one there the worse for liquor. Since the 1st of August there has been but one instance that even the smell of liquor was in the school. Before the law passed I could many a day have gathered up a wagon-load of intemperate men—

almost, indeed, any day; since the 1st of August I have seldom met with an instance. I have many times seen, in passing my rounds, wives and mothers, and even young women the worse for liquor; but all that has changed, and in my conversations with the poor people many of them say that the law must have come from Heaven—it is too good to have been framed by man. The little children that used to run and hide from their fathers when they came home drunk, are now well dressed and run out to meet them. These, I assure you, are not isolated cases; I could put my finger upon dozens of instances.

February 9, 1855.

NEW BRITAIN.

33. Population 3,029.

From Mr. ALFRED ANDREWS, Farmer, Deacon of the Congregationalist Church.

34. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

35. THE SABBATH.—The observance of the Sabbath has been increased.

36. OPPONENTS BECOMING FRIENDS.—Many of the opponents of the prohibitory enactment have become its friends.

37. VALUE OF THE MAINE LIQUOR LAW.—This law is to us above all price or valuation. It works to a charm.

38. PUBLIC OPINION.—The people will sustain the law.

39. INDUSTRY AND ECONOMY.—This law promotes industry and economy, and consequently, happiness.

40. VIRTUE, MORALITY, AND RELIGION.—Vice, crime, rowdyism, and idleness are greatly diminished, while virtue, morality, and religion are greatly promoted.

41. A FAMILY MADE HAPPY.—My neighbor J———, a wheelwright, has for several years previous to the 1st of August last, been so often intoxicated that he had *delirium tremens*, and several times became abusive to his family. He was unable to work; helped by the town to food and firewood, and did no work for the last six months previous to the 1st of August From that day he began to labor; became cheerful; in a few weeks he recovered his strength, earned good wages, and, from a broken-down man and a cripple, has become industrious, sober, and respectable. He now lives with his family, who had formerly left him from necessity.

42. CURED AND RESTORED.—My neighbor A——— is a wealthy farmer, has been in the habit of using strong drink for many years, so that he gave up labor, became noisy and boisterous, sick and debilitated, morose and stupid. The perfected Maine Liquor Law of Connecticut has saved him. He is now cheerful and happy, he labors daily, has recovered his health and strength, and is a comfort to his friends. He is cured and restored.

February 15, 1855.

PLAINVILLE.

43. Population not reported in the census.

From Rev. JOEL L. DICKINSON, Congregationalist.

44. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

45. PUBLIC HEALTH.—There has not been scarcely any sickness here since the Maine Liquor Law went into effect. How much the Maine Liquor Law has had to do with it I can not say. Probably something.

46. RECLAIMED FROM INTEMPERANCE.—Some two or three cases of reclamation from intemperance have come within the scope of my own observation as the result of said law.

47. THE SABBATH.—I should say that Sabbath observance has increased very perceptibly.

48. PUBLIC OPINION.—The general feeling of respectable citizens is almost universally in favor of the Maine Liquor Law.

49. ORDER AND QUIETNESS.—There is a very great change for the better since the Maine Liquor Law went into operation, as it respects good order and quietness in the village, especially in the evening. Before, night was often made hideous by the yells of drunken rowdies. Now nothing of the kind is heard. Stillness reigns without, and sober citizens can rest undisturbed. This change was perceptible the very *first night* after the law went into operation.

50. A TREE IS KNOWN BY ITS FRUIT.—In a word, the law works admirably! The fruit of it is good, and only good. While it infringes upon the just and lawful rights of no one, it protects the rights of those who have long been a prey to the rumseller.

51. THE GREATEST EARTHLY BLESSING.—If every State in the Union would adopt the Maine Liquor Law, it would be the greatest earthly blessing that could be conferred upon our country.

January 8, 1855.

SIMSBURY

52. Population 2,737.

From Rev. SAMUEL T. RICHARDS, Congregationalist.

53. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

54. ASSAULTS, ETC.—There have been none of those assaults, etc., so common from the use of rum, since the Maine Liquor Law came into effect.

55. RECLAIMED FROM INTEMPERANCE.—There have been half a dozen cases of reclamation from intemperance as a result of said law within the circle of my own personal observation—not from principle, of course, but because they can not get rum.

56. TRADE.—Many now spend money for useful articles which, had it not been for this law, they undoubtedly would have spent for rum.

57. NO PROSECUTIONS.—We have had no prosecutions under the Maine Liquor Law, from the fact that nobody has dared to openly sell.

58. ILLEGAL SALE OF LIQUOR.—We presume liquor is sold in our town, but it is very recently, if at all.

59. "RUMSELLING HOLED."—It is a great gain to have rumselling holed, literally driven below ground, and when there, practiced, never to the extent of sending men forth from these lower regions drunk.

60. THE VALUE OF THE MAINE LIQUOR LAW.—The law is worth something if it never does more than this. It does more, however.

61. PUBLIC OPINION.—As to public opinion I can say it is all one way. We are in our town strongly Anti-Maine Liquor Law.

62. DISTILLERIES.—We have one of the largest gin-distilleries in the State, and numerous cider-brandy distilleries. But all admit there has been a wonderful change for the better.

63. A NERVOUS DISTILLER.—A distiller admitted to me the other day that the law certainly had done wonderful things for the "gutter drunkards," as he termed them. He only contended that all the good might have been gained without disturbing his nerves (they are in his pocket, you know) quite so severely. And this is the universal tone of the opponents of the law. They admit its good effects, but say that all these blessings might nave been gained without so much stringency. *How*, they do not bring to light. They keep it to themselves, on the principle that it is useless to "cast pearls," etc. I suppose they would not be appreciated by the "fanatics."

January 8, 1855.

SOUTHINGTON.

64. Population 2,135.

From Rev. E. C. JONES, Eighteen Years Pastor of Congregationalist Church.

65. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

66. CRIME.—I have heard of no prosecutions for crime among us, except for violations of the Maine Liquor Law itself, since its enforcement

67. PUBLIC HEALTH.—There has never been a season of more general health among us since my connection with this place (a period of eighteen years) than now.

68. RECLAIMED FROM INTEMPERANCE.—Almost all who were before intemperate are now reclaimed, and a great improvement is noticed in every such case.

69. THE SABBATH.—I think Sabbath observance has been increased, and especially there has been more quiet on the evening preceding and following the Sabbath.

70. PUBLIC OPINION.—The general opinion and feeling of respectable citizens is in favor of the Maine Liquor Law.

71. CONVERTS TO THE MAINE LIQUOR LAW.—Many who at first opposed it are now, on seeing its beneficial results, beginning to approve and advocate it. Even those who were intemperate are now in favor of the law.

72. FAMILIES PROVIDED FOR.—In a number of instances, husbands and fathers who were idle, quarrelsome, and boisterous, doing nothing for the support of their families, are now sober, quiet, and industrious, and provide for those dependent upon them in a way they have not done before for years.

73. ENFORCEMENT OF THE MAINE LIQUOR LAW.—The law has been promptly and steadily enforced here, and with much less resistance than was anticipated; and this has been the experience, I believe, throughout the State.

74. THE CONNECTICUT LIQUOR LAW.—The Connecticut Law has been, I think, for the most part, admirably framed to meet the exigencies of the case.

January 3, 1855.

SUFFIELD.

75. Population 2,962.

From Rev. DANIEL HEMANWAY, Congregationalist.

76. GENERAL BENEFITS OF THE MAINE LIQUOR LAW.—I can, in general terms, certify to the beneficial effects of the law in this town and in this State.

77. ACQUIESCENCE.—The Maine Liquor Law is acquiesced in much more cheerfully than was anticipated by its most sanguine friends.

78. OPPOSITION.—There is opposition, but this is manifested mostly in an indirect manner.

79. NO LEGAL SALE OF LIQUOR.—There is no place in this town where liquor can be obtained for any purpose, unless in violation of the Maine Liquor Law.

80. CLANDESTINE SALE.—I hear there are two low houses where liquor is sold clandestinely, and as yet I do not learn that any measures are taken to bring the offenders to justice.

81. INTEMPERANCE DIMINISHED.—There is in this town an obvious diminution of intemperance. I have not seen a person under the influence of liquor since the law went into operation on the 1st of August. Previous to that time it was not an unfrequent occurrence to see persons pass my dwelling intoxicated.

February 3, 1855.

WEST HARTFORD.

82. Population 4,411.

From Rev. MYRON N. MORRIS, Congregationalist.

83. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

84. LESS DRINKING.—There is manifestly less drinking.

85. THE SABBATH.—There is less riding, and our streets are more quiet on the Sabbath—the result in part, at least, of the Maine Liquor Law.

86. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

87. THE SALE OF LIQUOR PROHIBITED.—I am not aware that any intoxicating drinks are now sold in the town.

December 28, 1854.

Chapter Four.

In my judgment the law has been fully operative and beneficial.—GOVERNOR DUTTON.

LITCHFIELD COUNTY.

The tree known by its fruit—Population.

CANAAN.—Population—From Rev. L. B. HART:—Period of enforcement—Sale of liquor discontinued.

FALLS VILLAGE.—Population—From Rev. J. HIRAM CHAMPION:—Period of enforcement—Crime—Public health—Reclaimed and improved characters—The Sabbath—Attendance at church—Ex-rumsellers becoming industrious.

LITCHFIELD —Population—Birthplace of Rev. JOHN PIERPONT and Rev. HENRY WARD BEECHER—From Rev. DANIEL E. BROWN:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade—Public opinion—Preparation for the Maine Liquor Law—The public peace—No drunkard in the streets—"His mischief shall return upon his own head."—From Rev. DAVID L. PARMELEE—Crime—The last effects of liquor—Public health—Trade and industry—Public opinion—No appearance of intemperance—Improvement in dress, etc.

NORFOLK.—Population—From Rev. L. B. HART:—Period of enforcement—A Maine Liquor Law town—Public opinion.—From the Norfolk *Examiner*:—A woman's blessing for the Maine Liquor Law.

1. THE diminution of crime, the improvement in public health, the peacefulness of the public streets, and numerous other improvements, are now enjoyed in Litchfield County, bespeaking with unerring certainty that the Prohibitory Law is well enforced in that county. These are the fruits by which the tree is known everywhere.

2. Population 45,253.

CANAAN.

3. Population 2,627.

From Rev. L. B. HART, of North Norfolk.

4. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

5. SALE OF LIQUOR DISCONTINUED.—There was much liquor sold in this town previous to the 1st of August last, all of which is now discontinued as far as my knowledge extends.

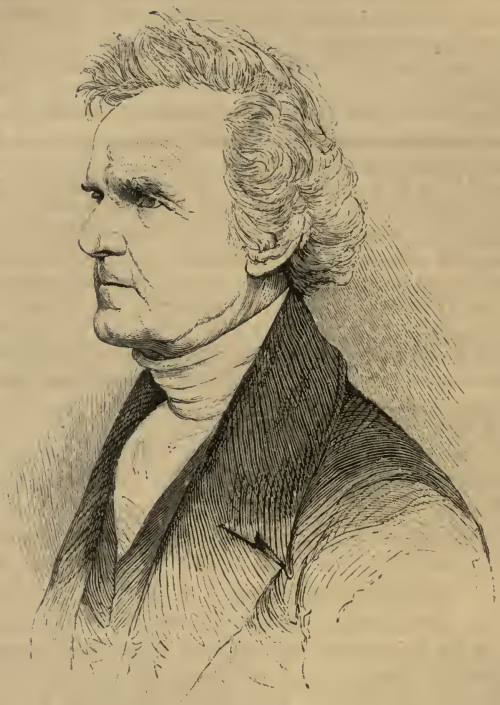
February 8, 1855.

FALLS VILLAGE.

6. Population not reported in census returns.

From Rev. J. HIRAM CHAMPION, Methodist Episcopalian.

7. PERIOD OF ENFORCEMENT.—Since August 1st, 1854



REV. JOHN PIERPONT.

8. CRIME.—The diminution of crime here has been more than five hundred per cent. in consequence of the Maine Liquor Law.

9. PUBLIC HEALTH.—The *delirium tremens*, which I regard as the worst kind of insanity, was formerly prevalent, the cases being frequent, but now there are no such cases.

10. RECLAIMED AND IMPROVED CHARACTERS.—I know of two decided reclamations from intemperance, and more than a score of persons who are improved five hundred per cent. by not being able to get the poison.

11. THE SABBATH.—The observance of the Sabbath has increased in a manifold degree.

12. ATTENDANCE AT CHURCH.—The attendance at my church has been increased by a few persons who were formerly frequenters of our saloons.

13. EX-RUMSELLERS BECOMING INDUSTRIOUS.—We have near us a little hamlet where there were a number of groggeries; and though there was no need of a single public house in that vicinity, the proprietors of these places lived comfortably by selling the poison to the neighbors and the hands of two furnaces near by. The law cut off their profits and set them to looking out for some other way to get their bread. One of them, who was formerly a mason, but had not done a day's work in some years, was glad to solicit a job in stone-laying, and the others are most of them now getting their living honestly, and the character and condition of the neighborhood is so changed that it does not appear the same. The change is noticed and spoken of by all who are acquainted with the place.

February 3, 1855.

LITCHFIELD.

14. Population 3,953.

15. Litchfield has the honor of being the birthplace of the temperance poet, the Rev. JOHN PIERPONT, who was born in 1785. He has distinguished himself as the zealous and talented advocate of temperance, anti-slavery, melioration of prisoners, amendment of the militia system, and other benevolent enterprises. He has greatly aided in making the principles of temperance known and respected, having labored with the spirit of an apostle at a time when the current of public opinion was on the opposite side. He well deserves to be recorded as one of the most prominent of the moral "revolutionary" soldiers of the present century. His writings in prose and poetry rank high in literature, and when they are recited with all the fire and energy of his nature, they never fail to delight and deeply affect an audience in any part of the country.

16. This city has also the honor of being the birthplace of the Rev. HENRY WARD BEECHER. Born in 1813, he, at the age of seventeen, became a member of Amherst College, where, however, he did not appear to make very rapid progress. He afterward spent three years at Lane Seminary, Cincinnati, Ohio; was ordained minister of a Congregational Church at Lawrenceburg, Indiana, in June, 1837. In 1839 he was called to labor at Indianapolis. In the fall of 1847 he received an invitation to preach at Plymouth Church, Brooklyn, N. Y., where he still utters the deep and practical convictions of his heart and the inspiration of a noble soul to a congregation unequaled in numbers and intelligence by any in the country. His influence has ever been on the side of temperance, being "the worthy son of a worthy sire."* His views on the Maine Liquor Law are often expressed in the *Independent* as well as in the pulpit and on the platform. The following extract from a recent article is a fair specimen of the enthusiasm and earnestness with which he advocates this cause:

17. Although we do not mean to tell the Legislature of New York what *they* shall do, we mean to tell them what we are determined to do. Among other things, these: 1. We do not mean to elect men under pledges to enact a Maine Law, and to forget them if they shall betray their pledge under crafty appearance of complying with it. 2. When these men re-appear before the people to ask again for office, the people intend to be present and to have respect to their case. 3. We do not mean to accept for our champion, nor to go into battle with liquor dealers with a broken-backed law, which not only gives us no aid, but is, itself, a miserable cripple hobbling on crutches. 4. We do not mean to give over, unto the end of life, our determination to exterminate the traffic in intoxicating beverages. Defeated we have often been, and we have grown strong upon every defeat. Defeat is good food for resolute men. We have set our faces and our hearts as a flint, that we will have a fair experiment of what can be done for public virtue and thrift, by cleansing those iniquitous holes wherein our vices and crimes have so long hatched and swarmed. And if in this conflict it shall be found that the Maine Law will sweep away brandy from our mince pies, and alcohol from our brasses, and leave our domestic economy and cookery a little poorer, why, great as is our sense of the value to the State, of brandy sauce for pudding, and brandied peaches, and of mince pies, we shall make a heroic struggle, and for the sake of public morals and private virtue we

* Rev. LYMAN BEECHER, SEC. 13, CHAP. VI.

Engraved by J.C. Buttre.

H. W. Beecher

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shall compel ourselves to let these darling indulgences go! At any rate, we mean to have a Maine Law with a cutting edge to it.

From Rev. DANIEL E. BROWN, Episcopalian.

18. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

19. CRIME.—Crime has diminished at least fifty per cent.

20. PUBLIC HEALTH.—The general health of the community has improved.

21. RECLAIMED FROM INTEMPERANCE.—The cases of reclamation from intemperance are numerous, but from their reformation being compulsory, it is to be feared that should the prohibition be taken off, many of them would relapse again by returning to their cups.

22. TRADE.—There has been a marked increase of demands for the necessaries of life, with increased means to purchase them.

23. DOMESTIC COMFORT.—There is consequently increased comfort and happiness in families.

24. THE SABBATH.—A very marked reformation in the observance of the Sabbath has been the consequence of the Maine Liquor Law.

25. PUBLIC OPINION.—There is a very strong and general feeling in favor of the Maine Liquor Law among our citizens.

26. PREPARATION FOR THE MAINE LIQUOR LAW.—When the act had passed, and the community found that it would go into operation, most of the drinking men laid by them in store, as they were able, a future supply, and this to some extent has enabled drinking men to obtain it. But as that supply became exhausted, the ingenuity of men has been put to the rack to invent means by which to obtain it, and there is no end to the stratagems made use of.

27. PUBLIC PEACE.—But still the law works well; the peace and order of the community is now undisturbed.

28. NO DRUNKENNESS IN THE STREETS.—I have not seen a man drunk in the streets (which was formerly of daily occurrence) for three months past.

29. "HIS MISCHIEF SHALL RETURN UPON HIS OWN HEAD."—A policy made use of by the opponents of the law at first was to cramp it in every shape, and to enforce its measures in as stringent a manner as possible, and by its arbitrary enforcement to render it so odious to the community as to raise a feeling against it which would insure its being put down. But in this they signally failed, and after trying the question in two special town meetings called for the purpose, they found themselves in so small a minority that they are now very quiet, and the law is left to take its legitimate and undisturbed course.

December 21, 1854.

From Rev. DAVID L. PARMELEE, Congregationalist.

30. CRIME.—I have not known of any crime within the limits of South

Farms [which constitutes the southern part of Litchfield] since the law came into operation.

31. THE LAST EFFECTS OF LIQUOR.—The only criminal prosecution within the limits of Litchfield since that time was one for the murder of one female pauper by another in the alms-house. The woman was acquitted on the ground of insanity, and is now confined as an insane person. She was formerly intemperate.

32. PUBLIC HEALTH.—We have been almost entirely exempt from fevers during the last year, and there are no new cases of insanity. We are an agricultural community.

33. TRADE AND INDUSTRY.—Some who were formerly intemperate have been more industrious, and their means to purchase necessaries and comforts have increased.

34. PUBLIC OPINION.—The general feeling of respectable citizens is in favor of the Maine Liquor Law

35. NO APPEARANCE OF INTEMPERANCE.—I have seen no case of decided intoxication in our limits since the law went into operation.

36. IMPROVEMENT IN DRESS, ETC.—In dress and general appearance some who were intemperate have decidedly improved.

January 2, 1855.

NORFOLK.

37. Population 1,643.

From Rev. L. B. HART.

38. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

39. A MAINE LIQUOR LAW TOWN.—This town has been for years practically a Maine Liquor Law town, the authorities having acted upon the principle of prohibition; consequently we do not see the effects of the enforcement of the law as in the neighboring town of Canaan.

40. PUBLIC OPINION.—The general opinion and feeling of our citizens is more favorable to the Maine Liquor Law than when it was enacted.

February 8, 1855.

From the Norwich *Examiner*.

41. A WOMAN'S BLESSING FOR THE MAINE LIQUOR LAW.—*Mr. Editor:* I want—I must tell you my thoughts. My heart is running over with happiness, and my soul goeth forth in praise toward Him who hath blessed me and all the State with me. Blessed be God for the Maine Law. My husband—be still my heart, while I tell the glad tidings—he who so often returned to me with—in place of his own kind heart—the rum fiend, and has been so harsh, so cruel, *is himself!* And now he's kind and affectionate; we have all we desire, and happiness, full, complete, is all our own. Again let me say, blessings on the Maine Law, the true friend of the poor. If all who have suffered from rum in this State might speak, what a shout of joy and thanksgiving would go up to the glad blue sky! a cry right from

the heart, of thanks for the blessing of God. You may think that this is strong language, but

"Go feel what I have felt,
Go bear what I have borne,"

and see whether your feelings are not altered.—RACHEL.

Chapter Five:

I think there can be no controversy that the community have been essentially benefited by the law.—HON. JUDGE BULKELEY.

MIDDLESEX COUNTY.

Good done by the Prohibitory Law acknowledged by its enemies—Population.

CLINTON.—Population—From Rev. A. E. DENISON:—Period of enforcement—The old stock of liquor—Smuggling—Profanity and disorder—Public health—Reclaimed from intemperance—Credit—Public opinion—A senatorial convert—Maternal thankfulness.

DURHAM.—Population—From Rev. GEO. A. HUBBELL:—Period of enforcement—Crime—Insanity—Public health—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion—Sustaining the Maine Liquor Law.

DURHAM CENTRE.—From Rev. ROBT. G. WILLIAMS:—Period of enforcement—Bloated faces—Attendance at church—Public opinion—Fatal results of evading the Maine Liquor Law—Liquor too accessible—Town expenses.

EAST HADDAM—Population—From Rev. ISAAC PARSONS:—Period of enforcement—Influence of the Maine Liquor Law—Public health—Reclaimed from intemperance—No liquor sold publicly—Liquor otherwise procured—Opposition to the Maine Liquor Law—A veteran in the cause—Reclaimed from intemperance—The Maine Liquor Law sustained by those who are reclaimed—The coming election—Elections once corrupted and controlled by liquor.

HADDAM.—Population—From Rev. JAMES KILBOURN:—Period of enforcement—Reclaimed from intemperance—Attendance at church—Public opinion—Sneaking after rum—The "Most Blessed Thing."

KILLINGWORTH.—Population—From Rev. HIRAM BELL:—Period of enforcement—Sale of liquor stopped—But one instance of intoxication—Party opposition to the Maine Liquor Law—Public opinion—The Sabbath.

MIDDLETOWN.—Population—From Rev. J. L. DUDLEY:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade—The Sabbath—Public opinion—Confessions of an opponent.—From Rev. DAVID SYMON:—The Sabbath—Disappearance of drunkenness—Opposition giving way—Thirty dollars saved in one month.

WESTFORD.—Population—From Rev. AMOS SNELL:—Period of enforcement—Crime—Public health—The Sabbath—Town meetings—Public opinion—The public peace—Observance of the law.—Physicians, lawyers, and jailers short of employment—Personal appearance—Christian duty.

1. THE county of Middlesex is no less fortunate than other counties in the successful enforcement of the Maine Liquor Law.

The improvement in the streets, in the public assemblies, and in social and domestic intercourse, is so apparent that even the bitterest enemies of the law are compelled to acknowledge that it "has done some good."

2. Population 27,216.

CLINTON.

3. Population 1,344.

From Rev. A. E. DENISON, Baptist.

4. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

5. THE OLD STOCK OF LIQUOR.—Many inebriates laid in stock a quantity of liquor, so that the happy effects of the Maine Liquor Law are but partially felt.

6. SMUGGLING.—Liquor is also smuggled in from New York, either by railroad or by water.

7. PROFANITY AND DISORDER.—Notwithstanding the above disadvantages, I have heard less profanity and disorderly conversation in the streets.

8. PUBLIC HEALTH.—There is less sickness here than usual.

9. RECLAIMED FROM INTEMPERANCE.—I have personal acquaintance with several men, heads of families, who, previous to the enforcement of the Maine Liquor Law, kept themselves filled with liquor almost all the while, and were occasionally "dead drunk," who, since that period, have not been known to be the worse for liquor.

10. CREDIT.—A certain class of men, I am told, pay their debts more promptly.

11. PUBLIC OPINION.—The general feeling of respectable citizens is strongly in favor of the Maine Liquor Law.

12. A SENATORIAL CONVERT.—One of the senators in this district who, when the law was passed in the Legislature voted against it, told me a few days ago that he was highly pleased with the operation of the law, and that it could not now be repealed.

13. MATERNAL THANKFULNESS.—An aged widow, who has a son who was addicted to intemperance, said to me last week, "I can not be thankful enough for the Maine Liquor Law." Such is the language of the reformed inebriate's relatives everywhere.

December 27, 1854.

DURHAM.

14. Population 1,026.

From Rev. GEO. A. HUBBELL, Methodist Episcopalian.

15. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

16. CRIME.—There has been no criminal prosecution since the en-

forcement of the Maine Liquor Law, and there were but few the previous year.

17. INSANITY.—There was one case of insanity last year, but there have been no cases since.

18. PUBLIC HEALTH.—The town is very healthy.

19. RECLAIMED FROM INTEMPERANCE.—There are a few cases of reclamation from intemperance as a result of the Maine Liquor Law. There were but few drunkards, and they have all improved since the Maine Liquor Law came into operation.

20. TRADE.—There has been a decided increase in legitimate home trade as a result of the Maine Liquor Law.

21. THE SABBATH.—Sabbath observance has increased.

22. ATTENDANCE AT CHURCH.—The attendance at my church has likewise increased since the Maine Liquor Law has been enforced.

23. PUBLIC OPINION.—The people generally hold opinions favorable to the Maine Liquor Law.

24. SUSTAINING THE MAINE LIQUOR LAW.—We think the Maine Liquor Law will be sustained.

December 20, 1854.

DURHAM CENTRE.

From Rev. ROBERT G. WILLIAMS, Congregationalist.

25. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

26. BLOATED FACES.—A decided improvement has taken place here in many bloated faces.

27. ATTENDANCE AT CHURCH.—I have seen at my church one whom I had never seen there before, and another who but very seldom came.

28. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly and strongly in favor of the law, but there is a dislike, personally, to enforce it.

29. FATAL RESULT OF EVADING THE MAINE LIQUOR LAW.—A son-in-law went to New York soon after the 1st of August, procured fifteen gallons of liquor, allowed his father-in-law all he wished, and in about six weeks carried him to the grave.

30. LIQUOR TOO ACCESSIBLE.—Our people can too easily get the liquor from New York to allow much change to be effected here.

31. TOWN EXPENSES.—Our selectmen say that half our town expenses, or $400, was formerly traceable to rum.

December 24, 1854.

EAST HADDAM.

32. Population 2,610.

From Rev. ISAAC PARSONS, Congregationalist.

33. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

34. INFLUENCE OF THE MAINE LIQUOR LAW.—Its influence is so good that it surpasses our most sanguine expectations.

35. PUBLIC HEALTH.—The general health of the community has been improved.

36. RECLAIMED FROM INTEMPERANCE.—In the four months past I have not witnessed a single case of intoxication.

37. NO LIQUOR SOLD PUBLICLY.—Our selectmen here being opposed to the Maine Liquor Law have made no provision for the sale for medicinal use. No intoxicating liquor is sold publicly in the town.

38. LIQUOR OTHERWISE PROCURED.—Some persons procure liquor from out of the State.

9. OPPOSITION TO THE MAINE LIQUOR LAW.—The Maine Liquor Law is bitterly opposed by some leading politicians and moderate drinkers. A mighty effort will be made at the spring election to effect a repeal, but I think the friends of the law will prevent it.

40. A VETERAN IN THE CAUSE.—I have ministered to this people thirty-eight years, and in all this time have advocated the cause of temperance.

41. RECLAIMED FROM INTEMPERANCE.—In the short time the law has been in operation, those who where formerly drunkards have greatly improved in industry and sobriety

42. THE MAINE LIQUOR LAW SUSTAINED BY THOSE WHO ARE RECLAIMED.—I have no doubt but some of those who are prevented from intoxication by this law will vote for it at our next election.

43. THE COMING ELECTION.—The next State election will be contested in relation to this law, and I am sanguine in the expectation that in this State the friends of the Maine Liquor Law will be in the majority, while in this town the majority will be anti-temperance, I fear, as it was at our town election in October.

44. ELECTIONS ONCE CORRUPTED AND CONTROLLED BY LIQUOR.—The anti-temperance men here have, in politics, in years past, controlled our elections by means of strong drink, and this use of it has been exceedingly corrupting to our State elections. I fondly hope this baneful influence will cease to control our elections, and that Connecticut will sustain the Prohibitory Liquor Law.

December 21, 1854.

HADDAM.

45. Population 2,279.

From Rev. JAMES KILBOURN, Congregationalist.

46. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

47. RECLAIMED FROM INTEMPERANCE.—Two cases of reclamation from intemperance have come within the circle of my observation as a result of the Maine Liquor Law.

48. ATTENDANCE AT CHURCH.—One person has become a constant attendant at my church since the enforcement of the Maine Liquor Law, and manifestly owing thereto. He did not attend church before at all.

49. PUBLIC OPINION.—The general feeling of all respectable citizens is

unanimously and heartily in favor of the law—more so than before it passed.

50. SNEAKING AFTER RUM.—Some persons go, or rather *sneak*, over to the realms of Governor Seymour [Long Island], after rum.

51. "THE MOST BLESSED THING."—An excellent lady, who for many years had suffered almost to death from a drunken husband, said to me, from experience, "Is not the Maine Liquor Law the most blessed thing that ever took place?"

December 21, 1854.

KILLINGWORTH.

52. Population 1,107.

From Rev. HIRAM BELL, Congregationalist.

53. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

54. SALE OF LIQUOR STOPPED.—There was but one place where liquor was sold, and the sale was stopped there immediately after the Maine Liquor Law came into operation. I do not know that it is now sold within our limits.

55. BUT ONE INSTANCE OF INTOXICATION.—I have heard of but one instance of intoxication since the law went into operation, and the man obtained the liquor from out of town.

56. PARTY OPPOSITION TO THE MAINE LIQUOR LAW.—A large number of the electors here belong to the Democratic party, and oppose the law merely on party grounds.

57. PUBLIC OPINION.—It is my opinion, that if the town could give an honest and impartial expression of their real sentiments in reference to the Maine Liquor Law, nearly every respectable man would vote in favor of it.

58. THE SABBATH.—I should think the observance of the Sabbath has increased since the Maine Liquor Law went into operation.

January 8, 1855.

MIDDLETOWN.

59. Population 4,230.

From Rev. J. L. DUDLEY, Congregationalist.

60. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

61. CRIME.—The decrease of crime is already seventy-five per cent.

62. PUBLIC HEALTH.—The general health of the community has improved.

63. RECLAIMED FROM INTEMPERANCE.—Several cases of reclamation from intemperance have come within the scope of my own observation.

64. TRADE.—I should think, also, there has been an increase in the legitimate home trade of the town.

65. THE SABBATH.—The observance of the Sabbath has decidedly increased.

66. PUBLIC OPINION.—The law wins favor every day, even from the ranks of the opposition.

December 21, 1854.

67. CONFESSIONS OF AN OPPONENT.—The Middletown *News*, which has hitherto opposed the Prohibitory Liquor Law, in alluding to the recent election in that city, confesses that "there was less disorder and drunkenness than usual at the close of the day," and adds, "whatever may be said of the Maine Law, it has been instrumental in effecting a considerable *external* change in the habits of many—at least we do not see as many instances of intoxication as formerly."

From Rev. DAVID SYMON, Congregationalist.

68. THE SABBATH.—There has been much less open violation of the Sabbath since the Maine Liquor Law came into effect.

69. DISAPPEARANCE OF DRUNKENNESS.—No drunkenness is seen in the streets in towns where the Maine Liquor Law is enforced, and every thing is as quiet as one could wish.

70. OPPOSITION GIVING WAY.—There is not half so much open opposition to the Maine Liquor Law now as before it was passed. Many who were opponents say they can not now oppose it, as it works admirably, and ought to be sustained. Some who were formerly intemperate men, now rejoice in the results.

71. THIRTY DOLLARS SAVED IN ONE MONTH.—One formerly very intemperate man remarked one month after the Maine Liquor Law went into operation, that he had thirty dollars in cash, and that had it not been for the law, he should not have had a cent.

December 21, 1854.

WESTFORD.

72. Population 1,473.

From Rev. AMOS SNELL, Baptist.

73. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

74. CRIME.—The diminution of crime has been very considerable. I have only heard of one instance of a man abusing his family since the 1st of August, and that was in a neighboring town, and caused by rum purchased before that time.

75. PUBLIC HEALTH.—We have had but few cases of fever in our community since that time, and none of insanity. The health of many persons has essentially improved.

76. THE SABBATH.—The observance of the Sabbath has improved. In a neighborhood about three miles from my residence, a man that was a bitter opposer of the Maine Liquor Law at first, has since said it operates nobly Many who took a similar position at first, have arrived at the same conclusion in reference to the stillness and order of the Sabbath.

77. TOWN MEETINGS.—A citizen of this place says: "I have attended town meetings in this town for fourteen years, and in every instance have seen more or less of the voters intoxicated previous to our last October meeting, at which time there was nothing of the kind visible either in or about our town-room." I have not been here myself so long, but saw a marked difference in the appearance of a portion of our townsmen at our last autumnal meeting from that of those at previous ones.

78. PUBLIC OPINION.—The general feeling of respectable citizens is favorable to the Maine Liquor Law. Being engaged in business for the town at the time of the passage of our Prohibitory Law, by reason of which I had occasion to circulate somewhat more among the inhabitants, I heard harsh anathemas and execrations pronounced against our law-makers on account of the passage of the bill. Among other bad and injurious results predicted, it was frequently said that drunkenness would be increased—some thought four, and some tenfold. But soon after the law came into operation such tempests of words and blustering sounds died away, for drunkenness decreased, and has all but vanished.

79. THE PUBLIC PEACE.—One who was opposed to the Maine Liquor Law said to me the other day, "You can not tell the difference in my neighborhood since your law came in force from what it was previously, especially on Sunday. Formerly, early on the morning of the Sabbath, discordant sounds disturbed the quiet of the day, and playing, loud talking, shooting, swearing, and fighting were the order of the Sabbath; but now my neighborhood is as free from such commotion as it is around the sanctuary."

80. OBSERVANCE OF THE LAW.—But few criminal acts have been brought before the public under this law—thus few prosecutions and lawsuits have resulted.

81. PHYSICIANS, LAWYERS, AND JAILERS SHORT OF EMPLOYMENT.—While the Maine Liquor Law has proved a very great blessing to some, and a benefit to all in our community, a few are prevented in part, or in whole, obtaining the income of their former employment, viz., physicians and lawyers, who have less to do; and a jail-keeper in an adjoining county declares he is out of business in his line, for the jail is without a tenant. One year ago it had about fifty.

82. PERSONAL APPEARANCE.—Some persons in this place, whose faces plainly showed too much intimacy with strong drink six months ago, are essentially changed in their appearance. The fullness of the cheek, the soft, puffy appearance under the chin, and the redness of the nose have vanished, and probably, in some instances, the disposition is not changed; the unnatural appetite still wages war against restraint; but as strong drink can not be obtained as formerly, they are passing through this ordeal against their will. But we think, as appetite loses its hold by reason of abstinence, that trampled-down judgment will arise again in its majesty, ascend its throne,

conquer the tyrants of usurpation, and sway its peaceful scepter over all the powers of the mind.

83 CHRISTIAN DUTY.—If there are those of our fellow-men, therefore, that are not disposed to be quiet, sober, and useful, and we can enable them to become so by the use of means that are consistent with strictest morality and in agreement with our holy religion, then the field is before us, and our duty is plain in reference to the enforcement of a prohibitory law.

February 20, 1855.

Chapter Six.

Go to Connecticut—glorious old Connecticut—that much-despised Nutmeg State. Where will you find the greater? Take Connecticut and go to New Haven, the City of the Elms, and ask the keepers of the city prison and of the work-house, and what will they tell you? I have got the official statement—here it is. "In July last," the keeper of the city prison said, "we shut up fifty persons for crimes arising out of the use of intoxicating drinks. The month after the passage of the Prohibition Law we put in fifteen only for said offense." The keeper of the work-house said, "We put in seventy-three in the work-house in July, and in August we put in fifteen only." What becomes, then, of all the arguments of the law's inutility?—REV. THEODORE L. CUYLER, *November*, 1854.

NEW HAVEN COUNTY.

Peace, harmony, and religious quiet of New Haven County—The Editor's testimony—State Reform School.

MERIDEN.—Population—From Rev. R. H. MAINE:—Period of enforcement—Crime—Reclaimed from intemperance—Public opinion—Necessity of the Maine Liquor Law—The State Reform School—Relieving distress.

NEW HAVEN.—Population—Birthplace of Rev. LYMAN BEECHER, D.D.—The city prison—The city work-house—The city jail and watch-house.—From Rev. LEONARD BACON, D.D.—Maine Liquor Law friends increasing—The Sabbath—Rumsellers arrested—A mariner in difficulty—Families relieved.—From Rev. S. W. S. Dutton:—The prodigal returned.—From Rev. EDWARD STRONG:—Period of enforcement—Attendance at church—Public opinion—Sobriety and peace—Public occasions—Dram-selling suppressed—Infractions of the law—Arrests and convictions—Public opinion.—From Hon. HORACE GREELEY:—New Haven Agricultural Fair.

YALE COLLEGE.—Number of Students—From Professor SILLIMAN:—Consumption of wine in the College—Customs of society.—From Professsor THACKER:—Effect of the Maine Liquor Law on students.—From Mr. DWIGHT:—College government more easy. -From Mr. MATHIESON, freshman:—Classes free from liquors.

1. HAVING spent a few days last fall in this delightful and romantic county, we can bear personal testimony to the peace, harmony, and religious quiet of the inhabitants. We did not see the slightest indication that intoxicating liquor was accessible to

REV. LYMAN BEECHER, D. D

UNIVERSITY OF CALIFORNIA

the people. There were no loafers and idlers about, but every body seemed intent on their several industrial pursuits. It was a hopeful scene, contrasting it, as we naturally did, with the drunkenness and disorder of the national Capitol at Washington, where "intemperance is itself run mad with excess."

2. There was one sight in particular which did our heart good, and that was the State Reform School at Meriden, where we saw the excellent chaplain, Rev. R. H. MAINE, holding in perfect subordination and good order, by the strength of his moral influence, a large number of boys, collected from the families that had been victimized by the rum traffic. Thus Connecticut is not only doing its best to prevent drunkenness in future, but to educate its unoffending victims—the children of drunkards—into good and intelligent citizens.

3. Population 65,588.

MERIDEN.

4. Population 3,559.

From Rev. R. H. MAINE, Baptist, chaplain to the State Reform School.

5. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

6. CRIME.—Crime has diminished perhaps seventy-five per cent.

7. RECLAIMED FROM INTEMPERANCE.—I have heard of a number of cases of reclamation from intemperance in consequence of the enforcement of the Maine Liquor Law.

8. PUBLIC OPINION.—The great majority of respectable citizens here are strongly in favor of the Maine Liquor Law.

9. NECESSITY OF THE MAINE LIQUOR LAW.—I am now, and long have been, fully convinced of the necessity of such a law.

10. THE STATE REFORM SCHOOL.—We have 112 boys in this institution, a large share of whom have had intemperate parents, and some have been intemperate previous to coming here. Our by-laws forbid the use of spirituous liquors unless on the recommendation of a physician.

11. RELIEVING DISTRESS.—So far as I can learn, the law works well here, and is doing wonders in relieving distress in many poor families.

January 2, 1855.

NEW HAVEN CITY.

12. Population in 1850, 20,345 ; in 1853, 23,000.

13. Rev. LYMAN BEECHER, D.D., father of HARRIET BEECHER STOWE, of HENRY WARD BEECHER, and four other eminent preachers, was born at New Haven, Ct., October 12th, 1775.

In 1810 he received and accepted a call from the Congregational church at Litchfield, Ct., where he remained until 1826. It was here that Dr. BEECHER first recommended total abstinence as a remedy for intemperance. As early as 1811, the association of which he was a member appointed a committee to report what could be done to stay the progress of intemperance. Their report was made, and after lamenting the wide-spread danger, discouragingly said, that there seemed to be no feasible remedy. Dr. BEECHER moved that the committee be discharged, and that another committee be appointed to report immediately a remedy for intemperance. He was made chairman, and reported resolutions at once, recommending to all Christians and good men the immediate and entire abandonment of intoxicating drinks. This is believed to have been the first step taken in this country in the history of total abstinence. The famous "Six Sermons upon Intemperance" were first written and preached in Litchfield. A very dear friend of Dr. BEECHER had become intemperate. This fact moved all his affection and zeal. The six sermons were born of a heart full of love and grief, and they have been read in almost every language of the civilized world, to the great benefit of millions of mankind.

14. THE CITY PRISON.—Commitments for crimes arising from intemperance:

In July, 1854, before the Maine Liquor Law was enforced	50
In Aug., " after " " "	15
Difference in favor of the law	35

15. THE CITY WORK-HOUSE.—Commitments:

In July, 1854	73
In Aug., "	15
Difference in favor of Maine Liquor Law	58

16. THE CITY JAIL AND WATCH-HOUSE.—Commitments for drunkenness and crimes arising therefrom:

In July, 1854	123
In Aug., "	31
Difference in favor of Maine Liquor Law	92

From Rev. LEONARD BACON, D.D.

17. MAINE LIQUOR LAW FRIENDS INCREASING.—My belief is, that the law has many more friends now than it had when it became operative. I did not take an active part in promoting the law, for I did believe that our people in Connecticut would not agree to such a law, which proposed to set aside some of the old English safeguards, as to a man's house being his castle, and so forth. I said I did not believe our people would submit to it; but the result has proved that I was wrong, and the fears I entertained have not been realized in any one instance. So far as I know, the general feeling is one of increased satisfaction with the law. It is recognized by all respectable people—I mean by respectable people those who make it a point to belong to religious congregations. Parties who stood aloof from the temperance reformation now give in their adhesion to the Maine Law. They consider that the question has assumed a new form. It is now no longer simply a question of temperance, but a governmental question, one of legislative foresight and morality, and therefore they wish to abide by the law.

18. THE SABBATH.—Our Sundays are much more quiet than they were; although for many years past our authorities have been very rigid in enforcing an external respect for the Sabbath.

19. RUMSELLERS ARRESTED.—As to the ulterior purpose of the law—the preventing intemperance—of course it does not entirely suppress intemperance. No man in his senses ever thought it would, in the present state of things. Liquor can be purchased in New York, only three hours distant from us, and all who are desirous can supply themselves in that way. But whoever is found drunk is arrested—*without respect of persons*—and if the liquor which made him drunk was purchased here, the vender is very sure to be convicted as soon as the purchaser is sober enough to testify.

20. A MARINER IN DIFFICULTY.—The master of a coal vessel, who had been in the habit of taking a little drop when he got ashore—discharged a cargo of coals at the wharf, and having transacted his business on shore, started to go down to his vessel. He dropped into one of his old places; they told him the danger of acceding to his request, but gave him a little grog. He stepped into another, and after the same remonstrance, received an additional supply. In this way he made some half dozen calls, thinking that things were taking a strange turn when a sailor was not allowed to take a little grog openly, when he wished to pay for it. Unfortunately, however, the last drop was too many for him; and moving along toward the wharf rather top-heavy, he was picked up by a policeman, for being more than half-seas over. He felt, when sobered a little, the awkward predicament into which he had got, and when taken before the police justice frankly told the names of all the parties who had given him drink; and some half dozen arrests and convictions were forthwith made.

21 FAMILIES RELIEVED.—According to the testimony of our city mis-

sionary, who has the best opportunity of knowing, families that were suffering last winter from destitution, are this winter provided with necessaries, notwithstanding the "hard times," because the dram-shops are no longer open.

January 9, 1855.

From Rev. S. W. S. DUTTON.

22. THE PRODIGAL RETURNED.—There is in my congregation a young man of a respectable family, kind, pleasant, and agreeable, who earned good wages as a mechanic—the only support of a widowed mother and an only sister—had got into dissipated habits, and for four or five years past would have gone on a drunken spree for weeks together, and was, consequently, a great source of affliction to his friends. Reasoning and remonstrance were in vain. But the law came to his aid. The temptation was removed, and he has since done well. He has recently purchased a small house for his mother and sister, and furnished it comfortably. He is a regular attender at church, and expresses very feelingly his gratification at the enforcement of the law.

February 9, 1855.

From Rev. EDWARD STRONG, Congregationalist.

23. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

24. ATTENDANCE AT CHURCH.—The attendance at my church has apparently increased, and to a considerable extent.

25. PUBLIC OPINION.—The general feeling of respectable citizens is that of decided approval of the Maine Liquor Law.

26. SOBRIETY AND PEACE.—Before our Prohibitory Law went into operation, to meet a man in a state of intoxication was a matter of almost daily occurrence. To hear the midnight uproar of drunken revelers, singing and howling along the streets, scarcely attracted attention from its commonness. To have a gala-day or festival of any kind in the city without numerous shameful spectacles of beastly drunkenness, was undreamed of and unknown. The law has now been in force with us for a period of between five and six months; it has been faithfully executed. The result and the change from the deplorable state of things above indicated are truly wonderful. The law has done all that its most devoted advocates anticipated, and, in my judgment, even more. For myself, although I have been from one end of the city to the other every day—quite as much certainly as formerly—I have not seen a solitary case of intoxication since our law went into operation, nor heard the uproar of nightly carousers, heretofore so common.

27. PUBLIC OCCASIONS.—Even on the public occasions which have transpired during this period—our State Fair, held in this city in October, for example—an occasion which drew together from all parts of the State the largest crowd I have ever seen in New Haven, I can not learn that a single intoxicated person was seen in the streets.

28. DRAM-SELLING SUPPRESSED.—Dram-selling among us has been almost entirely suppressed.

29. INFRACTIONS OF THE LAW.—Probably there are in some few instances infractions of the law.

30. ARRESTS AND CONVICTIONS.—There have been some arrests and convictions for violating the law.

31. PUBLIC OPINION.—There is, I think, a sentiment of high gratification and growing approval of the prohibitory statute throughout the community, and we hope that every other State will follow us in this legislative and social reform.

January 10, 1855.

From HORACE GREELEY.

32. NEW HAVEN AGRICULTURAL FAIR.—There was a meeting of 20,000 people the other day at the New Haven Agricultural Fair, and there was not a man upon the ground manifesting signs of intoxication among that great multitude. When was this ever the case under the old law? Never

November, 1854.

YALE COLLEGE.*

33. Number of students 400.

From Professor SILLIMAN.

34. CONSUMPTION OF WINE IN THE COLLEGE.—My impression is that the law has worked very favorably. I am not now in the college, and can not say so much from actual experience there, but I have heard several of the students speak of the law as having produced a very decidedly good effect upon the students generally. Not a quart of wine or liquor is drunk now, where before gallons were used. I am decidedly of opinion that it has produced a very marked change in the college.

35. CUSTOMS OF SOCIETY.—It has also produced a great change in the general customs of society. My wife has been in the habit of visiting among the poor, and in houses where before she used to find misery and vice, she now finds happiness and comfort.

February 10, 1855.

From Professor THACHER.

36. EFFECT OF THE MAINE LIQUOR LAW ON STUDENTS.—I am convinced that the law has made a very great difference among our students. Formerly some of them used to drink so as to be affected by it. They got the liquors at the medical halls, nicely labeled as cordials, and kept it in their own rooms. Such a thing is now entirely unknown. We have had no case of intemperance in the college since the law passed, that I know of. It was whispered about that the chief of police had escorted two young gentlemen to their lodgings recently, who, but for his kindness, might have been arrested. It is believed that he has frequently made himself serviceable in

* From *The Maine Law Illustrated.*

this way. But we have no outward indications now among the students that drink is used. There is none of that noise and uproar among them that used to be. The only objection we can have to the law is, that it does not stretch far enough. Persons can send to New York for a basket of champagne, and get it delivered at their houses without any difficulty. It has been reported that some of the students have done this, but I have seen no instance of it myself.

February 10, 1855.

From Mr. DWIGHT, Resident Tutor.

37. COLLEGE GOVERNMENT MORE EASY.—The results of the law have been much more favorable on the institution than I had any idea they possibly could be. The law has made a very decided difference in the college. I have no doubt there is some drinking still, but it must be greatly diminished, for its outside developments are entirely done away. I live in the college, and have an opportunity of seeing what goes on, and I am satisfied that college government is now much more easy than it was before the operations of the Maine Law.

February 10, 1855.

From Mr. MATHIESON, Freshman.

38. CLASSES FREE FROM LIQUORS.—All our classes are free from the use of liquors. I think if they were inclined to intemperance I should have heard of it. There are no places about college that I know of where liquor of any sort can be got.

February 10, 1855.

Chapter Seven.

Is there any honesty with those who say they do not believe the Maine Liquor Law can be enforced, when yet the facts say that it is enforced? Is there any man who will say this law will make more drunkards, when within two hours' ride from us he will find that it is in full force, and that it has not made any?—HON. HORACE GREELEY, N. Y., *November*, 1854.

NEW LONDON COUNTY.

Prohibition essential to the enjoyment of enlightened civilization.—County prison—Testimony of Methodist Episcopal preachers—From Rev. Mr. BUSH:—The cause gaining ground.—From Rev. JOHN W. SALTER:—Prison cells to be let.—From the New Haven *Temperance Advocate*:—Out of business.

COLCHESTER.—Population—From Rev. ERASTUS DICKINSON:—Period of enforcement—Public peace—Criminal prosecutions—Reclaimed from intemperance—Public opinion.

MONTVILLE.—Population—From Rev. JOHN W. SALTER:—Period of enforcement—Reclaimed from intemperance—Trade—Attendance at church—Dens of iniquity closed.

NEW LONDON CITY:—Population—From Rev. TRYON EDWARDS, D.D.:—Period of en-

forcement—Crime—Public health—Reclaimed from intemperance—Improvement in moderate drinkers—The Sabbath—Public opinion—Beneficial effects of the Maine Liquor Law.

NORWICH.—Population—From Rev. Mr. BUSH:—Absence of drunkards.—From J. J. WAITE, Esq.:—Working of the law—Public opinion.

PRESTON.—Population—From Rev. N. H. MATTESON:—Period of enforcement—Thorough execution of the law—Crime and drunkenness disappeared—Public health—All the drunkards reformed—Repeal of the Maine Liquor Law—Sale of liquor—Trade—The Sabbath—Attendance at church—Popularity of the Maine Liquor Law.—From Rev. S. HUNT:—Crime—Public health—Public tranquillity—Reclaimed from intemperance—Trade—Condition of families improved—The Sabbath—Attendance at church—Public opinion—Beneficial effects of the Maine Liquor Law.

1. PROHIBITION in New London County has been a most complete triumph. In whatever aspect its results are viewed, they present facts such as must strike the conviction home to every mind at all free from the trammels of mistaken self-interest, that for a people to enjoy the real blessings of enlightened civilization, a prohibitory liquor law, well sustained and enforced, is of the first importance.

2. Population 51,821.

3. COUNTY PRISON.—Commitments to the New London County Prison:

For August and September, 1853	32
For August and September, 1854	15
Decrease under Maine Liquor Law	17

Showing a deduction, from the corresponding months of 1853, in favor of the first two months of prohibition, of more than one half.

4. TESTIMONY OF METHODIST EPISCOPAL PREACHERS.—The New London District Preachers' Meeting of the M. E. Church, at its recent session, unanimously

Resolved, That having come together from all parts of the eastern portion of the State, we most cheerfully unite our testimony in favor of the efficiency of our new Prohibitory Liquor Law, and unanimously declare that its success has been hitherto marked and triumphant.

From Rev. Mr. BUSH.

5. THE CAUSE GAINING GROUND.—This cause has been gaining ground among us for years, and having passed through a great moral struggle, we stand on higher ground than if we had not made the effort.

6. SUCCESS OF THE MAINE LIQUOR LAW IN CONNECTICUT.—While six States have passed the Maine Liquor Law, none of them have succeeded like ours. The reports from the towns at the late county meeting at New London were cheering, and enough to convince all heretofore opposed to the law.

November, 1854.

From Rev. JOHN W. SALTER, Montville.

7. PRISON CELLS TO BE LET.—At a convention on the 27th instant, New London reported: "Prison Cells to be Let."

From the New Haven *Temperance Advocate.*

8. OUT OF BUSINESS.—The jailer of New London County. The county prison is empty. The Maine Liquor Law is justly held responsible for this result. Last year, before the law went into operation, from the 1st of August to the 1st of January inclusive, there were upward of fifty prisoners in the county jail; since the 1st of August last the number has been gradually diminishing, till on New Year's day there was but one poor fellow in durance, who, "solitary and alone," was awaiting trial for the violation of the Liquor Law.

COLCHESTER.

9. Population 2,468.

From Rev. ERASTUS DICKINSON, Congregationalist.

10. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

11. PUBLIC PEACE.—We have a population of some 500 or 600 Irish who, previous to the enforcement of our glorious Maine Liquor Law, were in the habit of becoming intoxicated on the Sabbath and at funerals of their own people, and then fighting, from which prosecutions and fines resulted every few weeks. Since our present law went into operation I have heard of but one such scene, and then it happened that an Irishman had obtained a demi-john of rum from New York.

12. CRIMINAL PROSECUTIONS.—Nearly all the prosecutions here arose from drinking. Our experience in this borough is, that crimes against the public peace will diminish at least 99 per cent. in the absence of all intoxicating liquors.

13. RECLAIMED FROM INTEMPERANCE.—Many have become sober who were often drunken before, and would probably become so again if they could get the liquor.

14. PUBLIC OPINION.—But little respect is entertained for any man who is opposed to the Maine Liquor Law.

December 23, 1854.

MONTVILLE.

15. Population 1,848.

From Rev. JOHN W. SALTER, Congregationalist.

16. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

17. RECLAIMED FROM INTEMPERANCE.—There have been a few cases of reclamation from intemperance as a result of the Maine Liquor Law—hundreds in New England.

18. TRADE.—There has been an increase in the legitimate home trade.

19. ATTENDANCE AT CHURCH.—There has been an increase in the attendance at church in some parts of the town.

20. DENS OF INIQUITY CLOSED.—Three dens of iniquity have been closed, their inmates, numbering forty or fifty souls, scattered, and some of these persons are now honestly employed.

December 29, 1854.

NEW LONDON CITY.

21. Population in 1850, 8,991. In 1853, 10,000.

From Rev. TRYON EDWARDS, D.D., Congregationalist.

22. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

23. CRIME.—There has been a great diminution of crime.

24. PUBLIC HEALTH —The general health of the community seems better.

25. RECLAIMED FROM INTEMPERANCE.—There have been several cases of reclamation from intemperance as a result of the Maine Liquor Law, and within the scope of my own observation.

26. IMPROVEMENT IN MODERATE DRINKERS.—There have been several cases where the individual, though not habitually intemperate, has been obliged to give up drinking, much to the improvement of him or herself and the family.

27. THE SABBATH.—The observance of the Sabbath has increased. A physician here, in large practice, says he has not met, on the evening of the Sabbath [or any other evening], one noisy person since the 1st of August, although such persons were common before.

28. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly, strongly, and increasingly in favor of the law, without, as far as I know, one solitary exception.

29. BENEFICIAL EFFECTS OF THE MAINE LIQUOR LAW.—Had I time, I could fill sheets with interesting incidents illustrating the beneficial effects of the Maine Liquor Law.

January 3, 1855.

NORWICH.

30. Population in 1850, 10,265. In 1853, 11,500.

From Rev. Mr. Bush.

31. ABSENCE OF DRUNKARDS.—Since the 1st of August I have not seen a man drunk in Norwich, where the sight had been of daily occurrence.

November, 1854.

From J. J. WAITE, Esq.

32. WORKING OF THE LAW.—The law is working admirably in Norwich. Its effects upon the community are very good. The village was formerly noted for drunkenness, but now an intoxicated man is seldom met with.

33. PUBLIC OPINION.—The law has gained the good-will of the better

classes of the community. I know many persons there who went against the law, because they were told it would infringe their rights as citizens, who, now that they have seen it enforced, are decidedly in favor of it.

February 7, 1855.

PRESTON.

34. Population 1,842.

From Rev. N. H. MATTESON, Baptist.

35. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

36. THOROUGH EXECUTION OF THE MAINE LIQUOR LAW.—The Maine Liquor Law has been so thoroughly executed, both here and through the State, that the public sale of liquor is a thing unknown.

37. CRIME.—There is a diminution of crime to the extent, I think, of eighty-five per cent.

38. DRUNKENNESS DISAPPEARED.—Before this revolution commenced, I saw more or less drunkards every day, as I traveled on the public road, and now I see none. Others, whose business calls them to travel constantly through our villages and on our railroads, say they see no drunkenness now.

39. PUBLIC HEALTH.—I have neither seen nor heard of the first case where any person has either sickened, died, or become insane for want of rum.

40. ALL THE DRUNKARDS REFORMED.—The operation of the Maine Liquor Law has reformed all the drunkards in the town, and will keep them sober so long as it is enforced, and perhaps no longer.

41. REPEAL OF THE MAINE LIQUOR LAW.—I think some, and not a few, of the former victims of intemperance would regard it as the worst calamity that could befall them to have the Maine Liquor Law repealed.

42. SALE OF LIQUOR.—I think that there is not as much liquor sold for a purely medicinal purpose as before.

43. TRADE.—A numerous class have the means of purchasing far more largely of the necessaries of life.

44. THE SABBATH.—The observance of the Sabbath has increased, for the Maine Liquor Law has been the means of closing up the dens where the vile and disorderly have been accustomed to resort and revel on the Sabbath day.

45. ATTENDANCE AT CHURCH.—I see individuals in my congregation I have never seen in the sanctuary before, and expect to see more such when the law shall have had time to work its legitimate effects, for many were never able before to appear in the house of God decently clad.

46. POPULARITY OF THE MAINE LIQUOR LAW.—The law is popular with such as have any just claims to respectability, and its beneficial effects are so apparent, that among rumsellers and rum politicians there is hardly a dog to bark out.

January 7, 1855.

From Rev. S. HUNT, Congregationalist.

47. CRIME.—I should think crime has diminished here at least seventy-five per cent.

48. PUBLIC HEALTH.—The general health of the community has improved.

49. PUBLIC TRANQUILLITY.—There is much less rioting, abuse, and drunkenness than before.

50. RECLAIMED FROM INTEMPERANCE.—I should judge from fifteen to twenty-five cases of reclamation from intemperance, as a result of the Maine Liquor Law, have come within the scope of my own observation.

51. TRADE.—There has been an increase in the legitimate home trade of this town.

52. CONDITION OF FAMILIES IMPROVED.—There are many families that were almost reduced to starvation and want, that are now provided with a sufficiency.

53. THE SABBATH.—I should think there has been increased observance of the Sabbath, as there has been less running about, especially among the Irish.

54. ATTENDANCE AT CHURCH.—The attendance at my church has perhaps been improved, but this is not to be expected as among the first effects of the Maine Liquor Law.

55. PUBLIC OPINION.—The law is gaining friends, and it never stood firmer than now.

56. BENEFICIAL EFFECTS OF THE MAINE LIQUOR LAW.—The incidents illustrating the good effects of the law are so numerous, that it would be almost impossible to give you a just conception of them without a very lengthy communication.

February 3, 1855.

Chapter Eight.

The absence of crime, the order which everywhere prevails, the diminution of rowdyism, the quietude which generally obtains—all prove that the law works its mission and is a blessing to the community.—GOVERNOR DUTTON.

TOLLAND COUNTY.

Prevalence of peace in the county—Population.

COVENTRY.—Population—From Rev. HENRY BLAKE:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—The Sabbath—Public opinion—No sale of liquor—Public tranquillity.

STAFFORD.—Population—From Rev. S. HINE:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade—Attendance at church—The Sabbath—Public opinion.

1. Some parts of Tolland County have long enjoyed the blessings of prohibition, while those parts which have only just become subject to it are now as free from intemperance, disorder, etc., as can be desired. Peace prevails on their borders.

2. Population 20,091.

COVENTRY.

3. Population 1,984.

From Rev. HENRY BLAKE, Congregationalist.

4. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

5. CRIME.—The diminution of crime has been great.

6. PUBLIC HEALTH.—The general health of the community has no doubt improved.

7. RECLAIMED FROM INTEMPERANCE.—Many who were intemperate are now seen sober.

8. THE SABBATH.—Sabbath observance has no doubt increased.

9. PUBLIC OPINION.—The general feeling of all respectable citizens here is that the Maine Liquor Law is one of the greatest blessings.

10. NO SALE OF LIQUOR.—There is no open sale of liquor.

11. PUBLIC TRANQUILLITY.—There is no appearance of intoxication, and great quietness prevails.

December 23, 1854.

STAFFORD.

12. Population 2,940.

From Rev. S. HINE.

13. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

14. CRIME.—Drunken brawls and fightings, before common in this town, have now ceased.

15. PUBLIC HEALTH.—The immediate consequences of intemperance are less.

16. RECLAIMED FROM INTEMPERANCE.—Some half a dozen cases of reclamation from intemperance have come under my own observation as a result of the Maine Liquor Law.

17. TRADE.—The hard times just now render comparisons as to trade unfavorable, yet many more of the comforts of life are procured by the families of those who were drunkards. There is far less spent in dissipation.

18. ATTENDANCE AT CHURCH.—The place wherein I preach—Staffordville—has never allowed tippling shops; hence, although an increase has been made in my congregation, it is only in part on account of the Maine Liquor Law.

19. THE SABBATH.—Sabbath observance has very much increased.

20. PUBLIC OPINION.—The general feeling of respectable citizens is favorable to the Maine Liquor Law, which is gaining greater favor every day.

January 26, 1855.

Chapter Nine.

Generally speaking, the law is most successfully and triumphantly sustained in New Haven; and what is true of New Haven, is also true of other towns in Connecticut. I have the means, from my official position, as well as from other sources, of learning the operation of the law, and I am prepared to say that it has been complete. Gentlemen engaged in shipping, in mechanical pursuits, in trade, in all parts of the State, bear the same testimony, that the law is being carried into effect, and has a most beneficial result upon their respective communities.—GOVERNOR DUTTON.

WINDHAM COUNTY

Many instances of reclamation from intemperance—Population—From Rev. Mr. BUSH:—Sobriety and industry—Jail and alms-house.

CANTERBURY.—Population—From Mr. A. H. BENNETT:—Period of enforcement—Crime—Appearance of the poor—Reclaimed from intemperance—Trade—The Sabbath—Public opinion—Effects of the Maine Liquor Law on a colored man—Homes of the destitute made glad.

CENTRAL VILLAGE.—From Mr. WM. C. MONROE:—Crime—Public health—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion—Violation of the Maine Liquor Law.

WILLIMANTIC—Population—From Rev. S. G. WILLARD:—Period of enforcement—Reclaimed from intemperance—Trade—Less suffering—Public opinion—Neighbor's children—No grog-shops.

1. WINDHAM County has many instances of reclamation from intemperance through the operation of the Prohibitory Law, and all the blessings of a sober people are now enjoyed there.

2. Population 31,081.

From Rev. Mr. BUSH, of Norwich.

3. SOBRIETY AND INDUSTRY.—I could give a long list of names of men who are now sober and industrious, who were formerly idle and addicted to drinking. So it is in Windham County.

4. JAIL AND ALMS-HOUSE.—The jail and alms-house are almost empty. These are but samples of the effects of the Maine Liquor Law.

November, 1854.

CANTERBURY.

5. Population 1,669.

From Mr. A. H. BENNETT, Farmer, Methodist Local Preacher, supplying two pulpits.

6. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

7. CRIME.—There have generally been about six arrests a year in this village for violations of the public peace. Since the passage of the Maine Liquor Law no arrest has taken place for this or any other crime.

8. APPEARANCE OF THE POOR.—The general appearance of the poor

has very much improved. They are decidedly more comfortable than ever before since I have known this place, notwithstanding the present hard times.

9. RECLAIMED FROM INTEMPERANCE.—About thirty were formerly addicted to intemperate habits. Twelve of these were known as "loafers," and they have disappeared from our village. The remaining eighteen are now sober citizens, and appear respectable.

10. TRADE.—There must have been an increase in the legitimate home trade of the place.

11. THE SABBATH.—The observance of the Sabbath has very much increased. Our hotel on the Sabbath was formerly crowded about the bar-room with the baser sort of people. But now there is nothing of the kind.

12. PUBLIC OPINION.—The Maine Liquor Law has been gaining strength in the affections of the people. The rum influence had ruled for four years, but some of the hardest opponents of the Maine Liquor Law acknowledge that it has done much good already.

13. EFFECT OF THE MAINE LIQUOR LAW ON A COLORED MAN.—About seven years ago, Mr. GEORGE GEER, a colored man, bought a piece of land, built himself a house, and paid for it within forty dollars. He removed to his new house, and then commenced laboring for one L. WOOD, a rumseller and tavern-keeper. He stayed there until he became a confirmed drunkard. His house became dilapidated, windows entirely broken. He finally sold his house for forty-five dollars, only five dollars more than his debt. So degraded has he been that he has been known to devour with eagerness skippery ham and other filth. But since the 1st of last August he has been entirely sober. His family has had enough, and are otherwise comfortable. Last week, March the 8th, he bought and paid cash for a barrel of provisions, and brought it home to his family. Such was never the case before, though he has kept house for twenty years.

14. HOMES OF THE DESTITUTE MADE GLAD.—We could relate many similar cases to the above, where families have become blessed, and the homes of the destitute have been made glad with plenty.

March 15, 1855.

CENTRAL VILLAGE.

15. Population 1,800.

From Mr. WILLIAM C. MONROE, Farmer.

16. PERIOD OF ENFORCEMENT.—1st of August, 1854.

17. CRIME.—Crime has diminished fifty per cent. in this village.

18. PUBLIC HEALTH.—The general health of the community in relation to fever, insanity, etc., has improved about twenty-five per cent.

19. RECLAIMED FROM INTEMPERANCE.—No less than thirty cases of reclamation from intemperance have come within the scope of my own observation as a result of the Maine Liquor Law.

20. TRADE.—The legitimate home trade has been increased.

21. THE SABBATH.—The Sabbath has been better observed.

22. ATTENDANCE AT CHURCH.—There have been fifteen additional attendants at my church, which does not profess to belong to any denomination.

23. PUBLIC OPINION—The general feeling of respectable citizens, is that no law has benefited society to the extent that this has.

24. VIOLATION OF THE MAINE LIQUOR LAW.—Two cases of violation of the law have been tried, and the defendants, BOICE and WEAVER, were fined, *without hesitation*, twenty dollars each and costs.

December 23, 1854.

WILLIMANTIC.

25. Population 3,500.

From Rev. S. G. WILLARD, Congregationalist.

26. PERIOD OF ENFORCEMENT.—Since August 1st, 1854.

27. RECLAIMED FROM INTEMPERANCE.—I have heard of four cases of reclamation from intemperance as a result of the Maine Liquor Law here. There are probably many more.

28. TRADE.—It is understood that the legitimate home trade has increased.

29. LESS SUFFERING.—There is considerably less suffering among the poor this winter than must otherwise have been the case.

30. PUBLIC OPINION.—The general feeling of respectable citizens is highly favorable to the law, and increasingly so.

31. NEIGHBOR'S CHILDREN.—The children of a neighbor, who was formerly addicted to drinking, are now better clad, and go to school.

32. NO GROG-SHOPS.—There is not an open grog-shop in the place. There were ten or more places where liquor was retailed before August 1st, 1854.

December 29, 1854.

33. Thus we have been enabled to furnish samples of the returns received from every county in the State of Connecticut. There can be no more convincing fact as to the practicability of the Prohibitory Liquor Law than is furnished by the unreserved testimony here given. We have not received a single hint or suggestion from this State which did not express the most unqualified approval of the law, and admiration at its happy results. If no other State in the Union had adopted the Prohibitory Law, the universally approving voice of the people of Connecticut would be ample evidence of the advantages of prohibitory liquor legislation.

RESULTS

OF

PROHIBITION IN MAINE.

Chapter One.

Where are the men opposed to the Maine Liquor Law in that State? Politically dead, and not a bubble rises over the spot where they went down. As the German said, "The mill of God grinds slow, but it grinds small."—REV. THEODORE L. CUYLER, of New York city, *Nov.*, 1854.

STATEMENTS RELATING TO THE STATE.

Character of the statements offered, and of the persons by whom they are made—Duration of the experiment in Maine—Population—Its effect marvelous in view of the strongholds of the liquor traffic—How alone the effects are to be accounted for.

STATEMENTS OF THE GOVERNOR:—Sustaining the Maine Liquor Law—Control of the traffic—The traffic a crime—Enforcement of the Maine Liquor Law—Imprisonment for the first offense—Prohibition of rum-carrying—Evasion of the Maine Liquor Law—Regeneration in Maine politics.

STATEMENT OF THE SECRETARY OF STATE:—The election of Governor.

STATEMENT OF BISHOP BURGESS:—What the law has accomplished.

STATEMENTS OF HON. NEAL DOW:—Consumption of liquor diminished in the State—Support of temperance men—Opposition—Implements of the warfare—Reaction—Given up—Political death—Confiscation and seizure—Uniformity of the law—The people's own work.

STATEMENTS OF REV. S. C. FESSENDEN, OF ROCKLAND:—The Maine Liquor Law has worked well.

STATEMENTS OF REV. J. C. KNOWLTON, OF OLDTOWN:—Quitting the business—Kept sober—Weeping for joy—Thrift and prosperity.

STATEMENT OF REV. WM. M'DONALD, OF PORTLAND:—General results of the Maine Liquor Law.

STATEMENTS OF THE LATE REV. D. H. MANSFIELD:—Order and quiet—Improvement in the foreign population—The Maine Liquor Law generally approved—Necessity for impartial enforcement.

STATEMENT OF HON. NOAH SMITH, JR.:—Public sentiment.

STATEMENTS OF REV. STEPHEN THURSTON, OF SEARSPORT:—Improvement in the Maine Liquor Law—"Eternal vigilance."

STATEMENT OF REV. J. W. TURNER:—Cheering facts—A reclaimed rumseller—A family saved from ruin.

STATEMENTS OF CHAS. H. DE WOLFE, ESQ.:—The importation of liquor must be prohibited—Maine in contrast with other States and countries.

STATEMENTS OF THE MAINE STATE TEMPERANCE SOCIETY:—Economy of the Maine Liquor Law.

Principal opponents in Maine—Concluding remarks.

1. THE results of the Maine Liquor Law in this State will be viewed with much interest by all the friends of prohibition. The

following statements have been selected from the materials kindly furnished by the gentlemen whose names are attached to each statement. They are statements which need no comment from us. They are indorsed by the names of men who do honor to their State and country, and command the respect and attention of all to whom they are known, and may therefore be regarded as the best authorities on the subjects of which they testify. The statements in this chapter apply to the State of Maine generally; succeeding chapters containing statements in relation to the divisions of the State, the counties, cities, towns, villages, etc., the whole of which should be read in order to arrive at a just conception of the results of the Maine Liquor Law in this most interesting State.

2. Population 583,188.

3. As we have elsewhere shown, the Maine Liquor Law came into effect on the 2d of June, 1851; the experiment, therefore, has not yet been in operation more than four years; and, considering the many years which the license system has had to gain its position, and the strong hold which the traffic had acquired on the principal capitalists of the State, the results effected in this short period seem almost marvelous, and can only be accounted for in the power of truth over error, and of right over wrong when judiciously, wisely, and promptly exerted.

STATEMENTS OF THE GOVERNOR.

4. His Excellency Governor MORRILL, in his recent Annual Message, makes the following valuable statements:

5. SUSTAINING THE MAINE LIQUOR LAW.—The law for the suppression of drinking houses and tippling shops has been very fully discussed by the people of this State, and become a question of prominence and deep interest in our elections. The result proves conclusively that the people are by a very large majority in favor of sustaining that law—a happy verdict for the cause of humanity throughout the land. Had Maine declared against the law, her decision would have been felt most disastrously by other communities, where strong efforts are being made to obtain similar legislation.

6. CONTROL OF THE TRAFFIC.—That any law which human wisdom can devise will at once rid the public of an evil so vast and deep-rooted as intemperance, should not be expected; but that the traffic which produces it

can be circumscribed and controlled by penal enactments, as surely and as legitimately as other crimes, there can be no reasonable doubt. And it is equally clear that the people are determined to pursue the effort faithfully, and give the law a fair trial. They see and feel the terrible ravages the traffic in intoxicating drinks has made on society and its best interests. They feel deeply the loss of many valued citizens who are constantly being hurried to the inebriate's grave. They fully realize that the sale and use of alcoholic liquors as a beverage, are in direct conflict with the health, morals, industry, peace, and happiness of society, and that this fact is so apparent, that those individuals who insist on selling in violation of law should be made to feel its consequences.

7. THE TRAFFIC A CRIME.—It is too late to plead that making men inebriates, or giving them the facilities to become such, is no crime; none but the more depraved or reckless will support a doctrine so pernicious and absurd; and it is believed that few are now engaged in the traffic in this State except those persons who are alike indifferent to public sentiment, the demands of humanity, and their own best interests.

8. ENFORCEMENT OF THE MAINE LIQUOR LAW.—Persuasive efforts having been exhausted on this class of men, the law should be enforced in protection of society and in mercy to the offender. This important statute has not had a fair trial. Executive officers have been culpably negligent in seeing it enforced. Too often has the officer, whose duty it was to honor and execute it as the law of the Commonwealth, been found more willing to exculpate the offender than to bring him to justice. Such official dereliction of duty emboldened violators of the law to repeated offenses, which they would not have committed, with the full assurance that the law was to be faithfully administered. This error must be corrected, the law must be faithfully enforced. The people demand that grog-shops be closed, whether found in spacious saloons and popular hotels, where the temptation is presented in the most alluring form, or in the filthy cellar or den, where poor, degraded humanity is made loathsome to the last degree.

9. IMPRISONMENT FOR FIRST OFFENSE.—No man sells ardent spirits in violation of this law through the promptings of patriotism or humanity; he has no higher motive than a reckless or sordid love of gain; he should be held strictly accountable for the mischief his traffic produces. Let this be done, and none will continue in the business except such as are madly bent on suicide. I would suggest the importance of so amending the law as to impose imprisonment for the first offense. The penalty for the first conviction is trifling, and the schemes devised to avoid detection are so numerous that many sellers, undoubtedly, realize large amounts from the business before a conviction is had. Let the prison be opened for their reception and reformation, as it is for offenders of less magnitude, even the unhappy victims of their traffic, and be assured its prospective chastening influences will be felt more restrainingly than merely taking by fine, from the pock-

ets of the delinquents, a trifling part of the money the business had given them.

10. PROHIBITION OF RUM CARRYING.—The willingness of rumsellers in other States to supply those in the same business, and the facilities afforded by steamboats and other common carriers to bring liquors into this State for unlawful purposes, call for such improvement in the law as shall meet this prolific source of evil and cut off a great artery which is pouring the poisonous liquid into this State.

11. EVASION OF THE MAINE LIQUOR LAW.—Other amendments may be desirable to give efficiency to the law and meet the modes of evasion which the ingenuity and cupidity of determined violators have invented.

STATEMENT OF THE SECRETARY OF STATE.*

12. THE ELECTION OF GOVERNOR.—The candidates were—ANSON P. MORRILL, Maine Law; ALBION K. PARIS, Democrat; ISAAC REED, Whig; SHEPARD CARY, Anti-Maine Law.

COLLECTIVE VOTE OF THE STATE:

Morrill	44,565
Cary	3,478
Reed	14,000
Paris	28,462
Total votes	90,633

PORTLAND.

Morrill	1,728
Cary	43
Reed	490
Paris	809

BANGOR.

Morrill	1,275
Cary	6
Reed	320
Paris	556

BATH.

Morrill	936
Cary	3
Reed	139
Paris	154

BIDDEFORD.

Morrill	721
Cary	27
Reed	107
Paris	153

SACO.

Morrill	458
Cary	13
Reed	159
Paris	234

ROCKLAND.

Morrill	454
Cary	0
Reed	211
Paris	274

AROOSTOOK.

Morrill	344
Cary	468
Reed	613
Paris	735

STATEMENT OF BISHOP BURGESS.†

13. WHAT THE LAW HAS ACCOMPLISHED.—Whatever it is in the power of a prohibitory law to accomplish without extreme severity or inquisitorial scrutiny, this law has generally, in my opinion, accomplished. Those who

* In *The Maine Law Illustrated.* † *Ibid.*

are bent upon obtaining liquor can and do succeed; but it has ceased to be an article of traffic; it has ceased to present any open temptation: the young are comparatively safe, and all the evils of public drinking-shops and bars are removed, together with the interest of a large body of men in upholding them for their own pecuniary advantage.

February 19, 1855.

STATEMENTS OF HON. NEAL DOW.

14. CONSUMPTION OF LIQUOR IN THE STATE DIMINISHED.—The amount of liquors consumed in the State I think is not one quarter so great as it was seven months ago, and it will become less very rapidly, as the people in the country towns are now enforcing the law more extensively and vigorously every day. From many towns in the State the illegal traffic is entirely banished.

January 10, 1852.*

15. SUPPORT OF TEMPERANCE MEN.—The law calls out new and increased interest (even enthusiasm) from temperance men, and has brought over the timid and wavering.

16. OPPOSITION.—There is no feeling of opposition to the law, except among a small minority of low men; the law carries all opposition before it.

17.—IMPLEMENTS OF THE WARFARE.—The law is easily enforced in every town, if you have three temperance men who are not afraid, one good justice of the peace, and one good constable.

18. REACTION.—There are no indications of reaction; there will be nothing to react, for we shall annihilate the traffic.

19. GIVEN UP.—Dealers have given up; there are no grog-shops, except a few low holes, where rum is sold very secretly.

20. POLITICAL DEATH.—No political party dare say a word against the law; death to such party would follow.

21. CONFISCATION AND SEIZURE.—Confiscation and seizure are the great things, with the speed and certainty with which penalties follow; no evasion will succeed.

22. UNIFORMITY OF THE LAW.—It is not desirable to adapt a law to separate counties; it should be uniform throughout the State.

23. THE PEOPLE'S OWN WORK.—Our law has been forced from our Legislature by the common people, the voters, with but little help from men of high standing and influence.

September 30, 1851.†

STATEMENTS OF THE REV. S. C. FESSENDEN, OF ROCKLAND.

24. THE MAINE LAW HAS WORKED WELL.—In 1852 the Rev. J. C. LOVEJOY, in his famous lecture on the prohibitory laws in regard to the use of

* Report of the Mayor of Portland.

† From Report of the Essex County (Mass.) Temperance Convention Committee.

intoxicating drinks, spoke of the Maine Liquor Law in this wise: "But the Maine Law has worked well in Maine. What are *nine* months in the life of a law? It shows no more what the law is, nor what it will do for society, than an infant nine months old shows what kind of man he will be." But you know that we thought it was a very likely infant at that time; it did great things in its infancy; it has done greater things than it did then, so that we may safely predict, judging from the past, that long before it reaches its majority, in its giant hug it will so smother the traffic in intoxicating liquors as a beverage, that of this traffic it will be said, It was a shocking monstrosity in its day; it was and is not now anywhere, for the Maine Liquor Law has killed it

January 8, 1855.

STATEMENT OF REV. J. C. KNOWLTON, OF OLDTOWN.

25. QUITTING THE BUSINESS.—I have seen tough old rumsellers quit the business voluntarily for fear of the jail.

26. KEPT SOBER.—I have seen men who had been drunkards for years kept sober for want of liquor.

27. WEEPING FOR JOY.—I have seen wives weep for joy at the enforcement of the Maine Liquor Law.

28. THRIFT AND PROSPERITY.—I have seen signs of thrift and prosperity wherever the Maine Liquor Law has been enforced.

February 7, 1855.

STATEMENT OF REV. WM. MACDONALD, OF PORTLAND.

29. GENERAL RESULTS OF THE MAINE LIQUOR LAW.—I can state that, under the operations of this law, I have seen drunkards made sober; families, sunk to the depths of poverty and wretchedness, raised to competency and respectability; rumsellers abandon their business and engage in honorable callings; villages and cities morally transformed, and Sabbath-riots giving way to the sanctity which becomes the day. I have seen men who fought the law at first as the worst law in the world, now supporting it as one of the best.

February 6, 1855.

STATEMENTS OF THE LATE REV. D. H. MANSFIELD.

30. We regret to state that the author of the following contributions has recently departed this life. They are probably among the very last of his writings for the press, and manifest the depth of his feelings in favor of the Maine Liquor Law.

31. ORDER AND QUIET.—Among the numerous benefits already resulting from the law, no one can have failed to observe that *it has promoted the order and quiet of the community.* I know by personal observation that some villages in Maine, in which rowdyism was rampant in the streets before the enactment of the law, have since become comparatively quiet.

Even in localities where it is not yet strictly enforced, it is not without its favorable effect. The wretched beings that swarm about the low haunts of drunkenness and debauchery are impressed with the necessity of keeping quiet in order to escape detection. There is not half the disturbance in our cities and villages as formerly.

32. IMPROVEMENT IN THE FOREIGN POPULATION.—It has been found favorable to the sobriety, industry, and consequent welfare of our foreign population. A gentleman in one of the eastern villages of Maine assured me that "before its enactment many of the Irish laborers could not be depended on for a 'long job,' but that, since they could not obtain liquor, they were not only more constantly employed, but would perform, on an average, one third more labor than before."

33. THE MAINE LIQUOR LAW IS GENERALLY APPROVED.—I have already said that a very large majority of our respectable citizens are in favor of the law. I will add that some of its violators even approve it. As an instance in point, the proprietor of one of the largest and best patronized hotels in Bangor said to me, soon after the passage of the law, "I am glad it is passed. I hope it will be enforced. I agree with you that the State would be much better without rum than with it; and *I am ready to quit the sale if the friends of temperance will see that others are prohibited; but I am not willing to close my bar while others are permitted to go on.* Many of my customers would leave me and go where they could find liquor; and thus, in the general result, no good would be accomplished." Now, the sincerity of this statement I will not doubt; but I was pained to see that this influential and otherwise amiable man had not moral principle enough to overbalance a sordid love of gain. And I mention the incident, more especially, to show that the work of this reform must of necessity devolve upon those who have attained a higher elevation of character. We could wish that all who have a tithe of virtue would join us in this crusade; but this is too much to hope. The battle must be pushed to the gate by the true temperance men; but every victory will add others, of weaker principle, to their ranks. In this way the whole mass of society will be redeemed.

34. NECESSITY FOR IMPARTIAL ENFORCEMENT.—It must be confessed that in a few places a cowardly policy has been adopted of pouncing upon the lowest slop-venders, while the more influential, and therefore more dangerous rumsellers—such as the landlords of large hotels—have been permitted to go "unwhipt of justice." This miserable course can not fail to excite the merited condemnation of all, and to bring the whole matter into disgrace. The reform can never be accomplished in this manner. Men might as well hope to change the costume of a nation by compelling the chimney-sweeps and boot-blacks to adopt the proposed reform. Let the more *nearly* respectably landlords be made the first examples of punishment. The higher their standing, the more *worthy* of punishment.

December 29, 1854.

STATEMENT OF HON. NOAH SMITH, JR.

35. PUBLIC SENTIMENT.—I reside in Calais, a place of some 6,000 inhabitants. I was a member of the Legislature for five or six years, and was Speaker of the House last session. I have taken a good deal of interest in the Maine Law. I introduced the bill in the House when it was passed. Its operations have exceeded the anticipations of its friends, and it is daily increasing in public favor. Public sentiment was never so decidedly in its favor as at this present moment, and no organization could be successfully brought against it. Where it has been enforced, the results have been good without exception, and the only places where it can be said to have failed in its operations are where they have had Anti-Maine Law justices. Our justices are appointed for seven years, and are removed only by impeachment, and such a thing as an impeachment never came within my knowledge. There are to be found justices hostile to the operations of the law, but that will remedy itself. The delightful working of the law is a matter about which there is no question in the minds of those who have given the subject the least attention. Each succeeding Legislature, since its enactment, has been stronger than the preceding in favor of the law, and never was so strong as at present. I have not known the operations of the law produce any harsh feeling, or any alienation of feeling in any neighborhood—not more so, I am certain, than the execution of any other penal law. I do not think its tendency is to produce that alienation of feeling to which you refer. There is no man who is at all acquainted with the workings of the law will say that it has operated injuriously.

February 20, 1855.*

STATEMENT OF THE REV. STEPHEN THURSTON.

36. IMPROVEMENT IN THE MAINE LIQUOR LAW.—The Prohibitory Law has proved a great blessing to this State, but it is not yet perfect. It strikes me that a provision like that in the Vermont law would be an improvement: That if any man shall be found intoxicated, he shall be required to tell where he obtained his liquor; and if he refuses, he shall be imprisoned until he will tell. The great difficulty has been to get proof.

37. "ETERNAL VIGILANCE."—As "eternal vigilance is the price of liberty," so it is of any good to be gotten from the Maine Liquor Law. Its opponents never sleep, while its friends are apt to become drowsy and remiss in the cause. Let them be ever awake, fearless, and persevering, and they can make the law a very great blessing

February 23, 1855.

STATEMENTS OF THE REV. J. W. TURNER.

38. CHEERING FACTS.—I met with a gentleman recently in the car coming from Boston, who said that having traveled for twenty years past in

* In *The Maine Law Illustrated.*

the State of Maine, he had met with too many cheering facts on every side to be convinced by any man that this law was doing no good. It gives me pleasure to corroborate these statements. I have been struck with some things which have come to my knowledge since residing here which I have witnessed in no place of the same size before—not to speak of the general quietness and order which prevailed. I have seen during the whole period of my residence here—two years—only two persons intoxicated, and only two common street beggars—all four foreigners, although I am in different sections of the city every day when at home. In the prosecution of my business I have been through every portion of the State, and every county except two, and have not seen ten persons intoxicated; and in this distance of travel, back and forth of more than 1,800 miles, I have not actually seen any liquor drank or sold, except in a single instance, and that was among the lumbermen at a public house in the valley of the Aroostook.

39. A RECLAIMED RUMSELLER.—Not long since I fell in company with an old acquaintance, a clergyman from P——, New Hampshire. He spoke of the influence of the Maine Liquor Law over the rumseller, and over the most hopeless drinker. A man lived at N. B., in the State of Maine, who owned considerable property, and yet kept a low grog-shop. It was his uniform habit to sell a hogshead of rum every month regularly, and sometimes in three weeks. He was, moreover, his own customer. He would sell enough to others to furnish his own drinks free, and make a profitable business besides. He was sure to get well "over the bay" himself pretty early every day; but he would manage so as not to make any foolish bargains while in a state of intoxication, and thus held on to his property. He would sometimes shamefully abuse his wife and children. He was, withal, a staunch Democrat. So soon as the Maine Liquor Law was passed, he said, "I am for order, though I may not like the law; so long as it is the law of the land, I am bound to obey it, and shall obey it." The word had gone forth. He stopped selling; shut up his shop at once; moved on to a farm, which he owned a little way from the village; encouraged his family to go to church; said it was best not to depend upon hire, so he bought a pew for them and went with them himself; became a different man, and his family became one of the happiest families. Had it not been for the passage of the Maine Liquor Law, in all human probability this man would never have changed his course, and nine chances to one he would have found a drunkard's grave.

40. A FAMILY SAVED FROM RUIN.—A family removed from Maine to P——, New Hampshire, some twenty years ago. The husband and father was a hard drinker; he grew worse and worse in the midst of new and dissolute companions; he drank up all he could earn. After a year or two at their new home, the wife and mother, an industrious, economical, and virtuous woman, said to her husband one day, "You may have all your own wages, and if you will you may drink them up, only you shall not ask me

for my earnings nor interfere with my plans. My mind is made up! I will agree to meet my own expenses and support the children, if you will only support yourself or let me alone. Yea, more, I will take boarders and try to save a little every year." The man was rather pleased with the resoluteness and calculation of his better half. The bargain was made and faithfully kept. The husband was true to his part, and more especially the first clause. The wife succeeded in laying up about a hundred dollars annually for sixteen successive years. Then she bought her a little place, paying down for it in the saved money. About this time the Maine Liquor Law passed in our State. "Now," said the wife to her husband, "I am going back with my children to live under the Maine Liquor Law, there to bring up my family, and you may go with me. I should like to have you, *provided* you will behave yourself as you ought. I am going to sell my place here, and buy a little farm down in Maine, and you shall take care of it, and it shall be yours, *if you will only keep sober.*" Again the bargain was made. The husband was delighted with the change. He was now away from temptation. The burden was rolled off. He reformed. The family were happy and once more went to church together. That is about two years ago. This man has only had one fit of intoxication since. Then he went back to P——, was surrounded by his old companions and temptations, and was beastly drunk every day for a week. He got sick, and, ashamed of such a course, hurried home, solemnly affirming he would never go to P—— again. He has done nobly since, and now he is one of the strongest of the strong Maine Liquor Law men. He knows that this law has done him and his family more good than any other measure devised.

April 3, 1854.

STATEMENTS OF CHARLES H. DE WOLFE, ESQ.

41. THE IMPORTATION OF LIQUOR MUST BE PROHIBITED.—I have been nearly all over Maine, since as well as before the passage of the Maine Liquor Law, and notwithstanding there is still much liquor drank, I think the traffic has been curtailed *one half;* and by a rigid enforcement of the law may still be reduced twenty-five per cent. more. There is a class that drink, that *State law* can not reach; and any thing like a complete annihilation can not be expected so long as Congress allows our revenues to be augmented by such a *price of blood!* as that gained by importation of alcoholic liquors. I am happy to say that I learn that the President of your Maine Law Statistical Society, Hon. S. MAYALL, of Maine, has given notice of his intention to introduce a bill into Congress in relation to the prohibition of the importation of all alcoholic beverages into this country. That object must be accomplished before you triumph. There can be no doubt that each and all of the States in this Union will soon adopt the Maine Liquor Law. If so, a mighty work will have been done. Then, if Congress comes up to the rescue, a death-blow will be struck at the monster!

42. MAINE IN CONTRAST WITH OTHER STATES AND COUNTRIES.—Some wiseacres tell us that the mischief all lies in the "*bad liquor*," the adulterations and drugged compounds, etc., and that in the vine-growing countries they have little or no drunkenness. That is all gammon, or *ignorance of the facts, to say the least.* Never, in the palmiest days of Anti-Maine Law *freedom to guzzle*, did I see more inebriety and beastly intoxication than I saw in Italy, on the Rhine in Germany, and in France, Then to talk about pure imported juice of the grape! (?) London alone uses more champagne annually (to say nothing of the *real pain*) than France has ever produced in the same period. I have seen *four acres in one cellar*, containing 70,000 casks of "*pure wine*" (?) in one of those London wine cellars, fittest emblems of hell I ever saw; the "fumes of the pit" envelop you like a dense fog, as you pass into this "outer darkness" with a flambeau in hand and a guide to "*deliver you* from the *lowest* hell." Never did I feel prouder of MAINE than when visiting the gin palaces of London, where fallen angels (enticing females) stand behind the bars to deal out "liquid fire and distilled damnation" with smiles and bows, while passing the silver chalice of hidden death! To realize Maine's proud position one must contrast her with other States and countries.

February 9, 1855.

STATEMENTS OF THE MAINE STATE TEMPERANCE SOCIETY.

43. ECONOMY OF THE MAINE LIQUOR LAW.—A tract, issued by the Maine State Temperance Society, makes the following remarks on this subject: "Before the enactment of the Maine Liquor Law there were expended by the people of this State annually for strong drinks, at the lowest estimate, more than TWO MILLION of dollars, and this expenditure involved a loss to the people in time, diminished industry, in unthrifty habits and other sources of loss, to an amount of at least two millions more; so that we had an expenditure for these drinks, directly and indirectly, of at least FOUR MILLION of dollars per year. Now what is the result to the State of this great expenditure for strong drinks? Have the people been the happier for it—better fed, better clad, better sheltered, better educated? No; but just the contrary. This enormous amount of four million of dollars has been a dead loss to the people year by year; and even worse than that, for they have not only had no valuable equivalent for it, but have received that which undermines their morals, and tends directly to their impoverishment and degradation; while no persons are benefited by the rum traffic, except a few men who have grown rich in furnishing the means of ruin to their countrymen. What a vast amount of good may be accomplished by four million of dollars properly expended! That sum would construct a railroad every year as costly as the Atlantic and St. Lawrence; would furnish every city and town in the State with churches, academies, school-houses, and libraries, and support comfortably all the pastors and teachers neces-

sary for them; would construct elegant hospitals for the gratuitous accommodation of all our sick; asylums for the reception of the superannuated poor, and all the orphans in the State who have none to care properly for them; and would endow all these institutions with ample funds; would create a fund whereby all our State and municipal taxes might be paid, so that the people of Maine would be entirely exempt from taxes for the support of government. In one word, the entire suppression of the traffic in intoxicating drinks within our borders would render the people of Maine in a few years, in proportion to their numbers, the richest people in the world; they would be the most virtuous and the happiest people; better fed, clad, sheltered, and educated, and more industrious and prosperous, than any other people. Intemperance would be entirely unknown among them, except as yellow fever is known to us by a few imported cases; our jails and prisons would be tenantless, or nearly so; of paupers we should have none; or if any, so few that alms-houses would not be necessary, and vice and crime would be so far reduced in amount as to be scarcely known to exist among us. Such will be the effect of the Maine Law, if it remain upon our statute-books and be steadily enforced. Men of Maine! is all this desirable, or not? Do you prefer that rumselling, with its long train of fearful evils, shall exist among us, or that it shall be suppressed, that we may enjoy the wonderful benefits of the change? For many generations all the governments of Europe and America have felt the rum traffic to be a great evil, and have endeavored to protect their people from its effects as far as possible. All these governments have often enacted laws to regulate and restrain this traffic; they did not think it could be destroyed; but Maine has undertaken to expel this traffic entirely from her borders, and with wonderful success. The civilized world is now looking with admiration upon this great experiment; if it succeed, the people of Maine will be happy and prosperous, and all the nations of the earth will follow her example; if it do not succeed, it will be through the indifference or timidity of professedly good men, who fear to resist bad men in their efforts to overthrow this law, which restrains their appetites and passions and affects their interests. In the year during which this law has been in existence, its effects have been more decisive and salutary than its warmest friends had anticipated. The wholesale traffic in strong drinks has been entirely annihilated throughout the State; the grog-shops are very few, and are kept in dark and secret places, so that temptation is entirely removed from the way of the young and inexperienced. The quantity of spirits now sold in the State can not be more than one tenth part so great as it was before the enactment of the Maine Law, so that the saving to the people is already at least one million eight hundred thousand dollars per year. The result of this can be seen in the improved habits and circumstances of our people. Many men, formerly miserable drunkards, are now perfectly sober, because temptation is removed out of their way; many families, before miserable and dependent upon the

public or upon charity for support, are now comfortably fed, clad, and lodged. Our alms-houses are not crowded as they were; their inmates are greatly diminished in number, and some of them are nearly empty. Our jails are almost tenantless, some of them entirely so; our houses of correction are now almost without occupants, and all this because few men become paupers or commit crimes except under the influence of strong drinks."

PRINCIPAL OPPONENTS IN MAINE.

44. The principal opponents of the Maine Liquor Law are JOHN NEAL and *The State of Maine* newspaper. The following conversation with Governor MORRILL will explain their character and standing. The replies are by the Governor.

Question. How do you account for JOHN NEAL's recent opposition to the law?

A. I account for it—and all intelligent men account for it—simply in his personal hostility to NEAL DOW, his own cousin. JOHN NEAL was ambitious to be Mayor of Portland, and was defeated by NEAL DOW, and from that time a personal hostility commenced; I have never heard any other opinion given.

Q. Are his statements in regard to the working of the law indorsed by any respectable number of the citizens of Portland?

A. My own impression is, that his opinions on that subject are repudiated by almost every respectable man in Portland. I know that not one of the 1,700 of a representative vote which I received in Portland would indorse his opinions on that question. Even those who voted against me, in order to keep in their own political organizations, the members of the Whig party, and of the Democratic party, the hundreds who voted for Governor PARIS and for Mr. REED, would be the foremost to repudiate JOHN NEAL's statements on the workings of the law.

Q. How do you account for the virulent opposition of *The State of Maine* newspaper?

A. I account for it by saying that JOHN A. POOR's affinities have always been with the rum party.

Q. Are the statements made in that paper, in regard to the working of the law, to be relied on?

A. His paper is not at all relied on in Maine; it has neither circulation nor influence in Portland. It was started since the law was passed. It has strong pro-slavery proclivities, while the temperance people are anti-slavery.*

45. This being the character of the most formidable opponents in the State of Maine, the friends of temperance need have

* From *The Maine Law Illustrated.*

no fear that this State will relapse into neglect of this law Whatever is said to the disadvantage of the Maine Liquor Law appears generally traceable to the false rumors put in circulation by these political peddlers. In Maine their assertions carry no weight, but at a distance the organs of the rum party quote them as well-authenticated statements. The very name assumed by one of these opponents—"*The State of Maine*"—has an imposing sound; but that which has made it imposing, and which will give it the most enduring fame in the world, long after the names of these mere politicians are forgotten, is the fact that in the State of Maine NEAL DOW originated the first Prohibitory Liquor Law.

Chapter Two.

It was well understood by the temperance men of Maine, that any law which should *entirely extirpate* the rum traffic from the State must have penalties more stringent than those of the Maine Law. All that was expected of that enactment was that it would entirely stop the open sale of intoxicating drinks; make that traffic disreputable among us, and drive out of it every man engaged in it who might have any character to lose, or any regard for public opinion; and so much it has thoroughly accomplished.—HON. NEAL DOW, *December* 25, 1854.

CUMBERLAND COUNTY.

Importance of facts relating to Cumberland County—Population—Period of enforcement.

STATEMENTS OF HON. NEAL DOW:—The county jail—Numerous villages: Scarborough, Saccarappa, Baldwin, Gorham, Fryeburg, Hiram, etc.; also Calais, Fairfield, Scowhegan, Norridgewock, the Sandy River Valley, etc.

AUBURN.—From Dr. OAKES:—Enforcement of the law—Public opinion—No open sale—Liquor as medicine.

DURHAM, WEST.—Population—From Rev. CHARLES ANDREWS:—Period of enforcement—Public health—Reclaimed from intemperance—The Sabbath.

MINOT.—Population—From Rev. ELIJAH JONES:—Commencement of the temperance reform—Period of enforcement—Public health—Reclaimed from intemperance—The effect of temptation—The co-operation of the States—Trade and general prosperity—Education—Public opinion—Evasion of the Maine Liquor Law—The election of Governor.

NEW GLOUCESTER.—From Rev. ASA F. HUTCHINSON:—Period of enforcement—Public health—Reclaimed from intemperance—Trade—The Sabbath—Public opinion.

PORTLAND.—Population—Period of enforcement—Celebration of the National Birthday—From Rev. THEODORE L. CUYLER.—From Hon. NEAL DOW:—Public sale of liquors prohibited—Foreigners—Stopping the supplies—Novel modes of concealment—The wholesale business—Distilleries—Reception of the Maine Liquor Law by the people—No

inducements to resist the law. Evasions of the Maine-Liquor Law—Additional provisions in the Maine Liquor Law—Effects of the Maine Liquor Law on the police department—Committals of intemperate persons—Seized liquors—The police have little to do—Religious meetings undisturbed—Effects on the alms-house—Communication of the Mayor to the Board of Aldermen and Board of Councilmen—Cheerful and quiet submission to the law—Process of reclamation from intemperance—Public regard for the Maine Liquor Law—Preservation of the public peace—The Maine Liquor Law triumphant—Consumption of liquor—Regular enforcement of the Maine Liquor Law—Alms-house returns—Alarms of fires, etc.—Number of deaths—Commitments to the house of correction for drunkenness—The house of correction empty—Paupers kept sober—Convictions for selling liquor—Seizures—The watch-house.—Testimony of Mr. MITCHELL, city missionary.—Testimony of Mr. HADLEY, minister at large—Conclusions from preceding facts—Expenses of enforcing the Maine Liquor Law—Termination of NEAL DOW's mayoralty—Alms-house statistics—Watch-house statistics—House of correction statistics—General results of the first year's experiment—The political tricks of the rum party—The wine and liquor merchants of Boston subscribe for the defeat of NEAL DOW.—From Mr. Alderman THOMAS:—How NEAL DOW was defeated—The succeeding election.—The alms-house statistics since 1850—Statistics of house of correction.—From Rev. WM. H. HADLEY:—Poverty—Licentiousness—The last results of drinking—Applications for relief—The contrast—Opinions of the poor—Consumption of liquor.—From *The Maine Law Illustrated*:—Liquor traffic superseded by honest trade.—From Rev. E. D. PECK—Reclaimed from intemperance—New churches erected—Sabbath schools.—From Rev. WM. MACDONALD:—Public health—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion—False reports and their antidote—Statement of the citizens of Portland—Commercial prosperity of the city—Concluding remarks.

1. THE facts in relation to Cumberland County (being the one in which the Maine Liquor Law originated) are of the greatest interest and importance in this inquiry. For this reason we have furnished them in detail, although there are many other districts where the law has been still more successfully enforced.

2. Population 79,538.

3. PERIOD OF ENFORCEMENT.—The Maine Liquor Law came into effect on the 2d of June, 1851, but as notice was given of from one to two months by the authorities before the law would be enforced, it was not in full operation until the 1st of August.

STATEMENTS OF HON. NEAL DOW.

4. COMMITMENTS.—To the county jail:

From June 1, 1850, to March 20, 1851, nine months previous to the enactment of the Maine Liquor Law		279
Corresponding period 1851 and 1852, after the enactment of the Maine Liquor Law	135	
Deduct liquor sellers committed under the law	72	
Deduct	63	63
Difference in favor of Maine Liquor Law		216
		165

There were in the jail on March 20, 1851, before the enactment of the Maine Liquor Law		25
Same period 1852, after the enactment of the Maine Liquor Law	7	
Deduct liquor-sellers under Maine Liquor Law	3	
	4	4
Difference in favor of the Maine Liquor Law		21

Showing a falling off of eighty-three per cent. in the short period of nine months! We understand that the jailer of that year made the remark, that the Maine Law had damaged him (reduced his receipts) more than five hundred dollars in that year. The commitments to the jail for all crimes and offenses, as near as can be ascertained, during the succeeding years—1852, '53, '54—have been as follows, viz.: 140, 131, 144.

5. It will be seen that notwithstanding the rapid increase of population in this county, and the numerous commitments for offenses against the Liquor Law, the number of persons committed every *year* has remained at little more than half of what it was in the *nine* months previous to the enforcement of the Maine Liquor Law. The effects on separate offenses is shown by the following:

From August 1st., 1850, until Dec.—committed for larceny	16
Corresponding period in 1851	9
Difference in favor of Maine Liquor Law	7
From June 1st to Sept. 30th, 1850—committed for burglary, etc.	22
Same period in 1851	7
Difference in favor of Maine Liquor Law	15

But we have one other very significant item of criminal statistics, which bears upon the same point, and it is that at the term of the District Court in Portland, March, 1852, but *one indictment* was found for larceny, and that was the result of mistake; while at the March term of 1851, *seventeen indictments* were found. These results have been obtained, notwithstanding an increased vigilance in arresting persons found under the influence of strong drinks. Temperance men have always declared that almost all crime is the offspring of the liquor traffic, and never before was the truth of the declaration so completely demonstrated. The records of criminal courts always show that in any community, under the same circumstances, the per centage of crime to the population is nearly uniform, and this wonderful falling off of crime in Cumberland County shows beyond all possibility of

denial, that circumstances of some sort had occurred which had a direct and immediate bearing on crime.

6. NUMEROUS VILLAGES.—The Portland people know very well what were formerly the facts in Scarborough, Saccarappa, Standish, Baldwin, Gorham, Fryeburg, Hiram, and many other places like them, where formerly rum was as plenty as water, and where now not a grog-shop exists. And the same may be said of many other parts of the State, such as Calais, Fairfield, Skowhegan, Norridgewock, the Sandy River Valley, etc., where the grog-shop is now unknown.

February 18, 1855.

AUBURN.

7. Population 2,840.

From Dr. OAKES, Representative for Auburn.

8. ENFORCEMENT OF THE LAW.—The law has been enforced pretty well in Auburn, and the result has been very favorable.

9. PUBLIC OPINION.—Public sentiment there was rather against it at its passage, because they considered some of its features oppressive, particularly the right of search and seizure. Since the law was enforced, the opposition has gradually diminished, and public sentiment among all the better classes is in its favor. There were several seizures of liquors made, and almost all the cases were successful in leading to convictions; yet, notwithstanding that, the feeling in favor of the law has increased. The sellers generally had this branch connected with some other business, and they have turned their attention to that business.

10. NO OPEN SALE.—We have no place for the open sale of liquor at Auburn. We have not even an agent at the present time.

11. LIQUOR AS MEDICINE.—So far as my medical practice goes, I think liquor can be dispensed with even as a medicine. I have always been of opinion that it does more harm than good, even as a medicine. I do not say that it is never useful, but I do say that the balances are against its use as a medicine. If a strictly prohibitory law were introduced into the House, restricting its use as a medicine, I would most certainly vote for it.

February 20, 1855.*

DURHAM, WEST.

12. Population 1,886.

From Rev. CHARLES ANDREWS, Methodist Episcopalian.

13. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been enforced here ever since 1851.

14. PUBLIC HEALTH.—There has been a marked improvement in relation to the health, moral and physical, of the community.

15. RECLAIMED FROM INTEMPERANCE.—From what I can learn, there

* From *The Maine Law Illustrated.*

have been some twelve or fifteen persons who were intemperate before, but who, since the enforcement of the law, have become good, sober, and acceptable citizens.

16. THE SABBATH.—There has been a marked improvement in relation to the observance of the Sabbath.

December 29, 1854.

MINOT.

17. Population 1,734.

From Rev. ELIJAH JONES, Congregationalist.

18. COMMENCEMENT OF THE TEMPERANCE REFORM.—The temperance reform here began in the pulpit and the church. Sermons were preached and resolutions passed on the subject, and hence it extended all over the town. The Maine Liquor Law became needful to restrain a very few who were determined to sell, and we did what we could to secure its passage and to enforce it.

19. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been enforced here ever since its enactment in 1851.

20. PUBLIC HEALTH.—There is about one fourth as much sickness, fever, insanity, etc., as formerly. Our locality is favorable to health.

21. RECLAIMED FROM INTEMPERANCE.—In this vicinity there are many who were formerly intemperate who are now reclaimed, and who have become blessings to their families. Some of these, however, in visiting other States where there is no restraint, have been seduced with drugged liquor, and have fallen into their old habits.

22. THE EFFECT OF TEMPTATION.—One man who had been reclaimed from intemperance by the operation of the Maine Liquor Law, having been tempted during his visit to a rum-drinking State, died of intemperance soon after his return home, leaving a young wife and two or three children.

23. THE CO-OPERATION OF OTHER STATES.—When all our neighboring States have adopted the Maine Liquor Law we can save more drunkards than we possibly can now. We need this co-operation.

24. TRADE AND GENERAL PROSPERITY.—There is more business done; families are better fed and clothed, dwellings are made more comfortable, and our store-keepers do not often have to sue for their bills.

25. EDUCATION.—Better school-houses are now built, more school-money raised, and children are better educated.

26. PUBLIC OPINION.—The general opinion of respectable citizens is decided and firm in favor of the law. The desire is that the law be made more stringent, if amended at all, so as not to receive small *fines* for the first offense, and not to let the drunken man go free till he tells where he obtained the liquor. At this time such views are gaining ground.

27. EVASION OF THE MAINE LIQUOR LAW.—All laws are sometimes evaded, as those against smuggling, counterfeiting money, etc., and this can not be expected to prove an entire exception to the rule.

28. THE ELECTION OF GOVERNOR.—At our last gubernatorial election, out of 335 votes, only 15 were for the rum candidate, 180 for the Maine Liquor Law candidate [MORRILL], and the balance were for men, reputed friends of the Maine Liquor Law.

January 26, 1855.

NEW GLOUCESTER.

29. Population 1,848.

From Rev. ASA F. HUTCHINSON, Free-Will Baptist.

30. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here three years and seven months.

31. PUBLIC HEALTH.—The general health of the community, in relation to fever, insanity, etc., has improved.

32. RECLAIMED FROM INTEMPERANCE.—One case of reclamation from intemperance has come within the scope of my own observation.

33. TRADE.—There has been an increase in the legitimate home trade as a result of the Maine Liquor Law.

34. THE SABBATH.—The observance of the Sabbath has been increased from the same cause.

35. PUBLIC OPINION.—Respectable citizens are almost unanimously in favor of the Maine Liquor Law.

February 1, 1855.

PORTLAND.

36. Population in 1850, 20,815; in 1853, 22,500.

37. The law came into operation in this city on the 2d of June, 1851, but was not rigidly enforced until the August following, Hon. NEAL DOW being mayor of city, gave time for the rumsellers to dispose of their liquor before the law was enforced which made its possession for the purposes of sale illegal. Before this *rigid* enforcement of the law commenced, however, the good effects of prohibition began to be visible, as will be learned from the following account of the celebration of the National Birthday. Speaking of this occasion, which, in 1851, was celebrated in Portland on the 22d of July, the editor of the Maine *Temperance Watchman* says, in reply to the Bath *Mirror*, an opposing journal:

38. We had nothing to do all day but to perambulate the streets for the very purpose of discovering the amount of drunkenness on that occasion. It will be recollected that we had quite a number of shows in town that day, among them a circus, and the occasion and its other allurements drew thousands from abroad to our city. We traveled the whole length of the city several

times, crossed it, and were particular to visit Fore Street (at least six times), and such other quarters of the city as were likely to draw frequenters to the grog-shops. WE DID NOT BEHOLD A SINGLE citizen of Maine who WAS THE WORSE FOR LIQUOR, and we were on the watch from morning until after ten o'clock at night. We did see some drunkenness, but it was confined to members of a military company on a visit from Portsmouth, N. H., [where it was legal to sell liquor by license], a company, we will add, that reflected no credit on Portsmouth.

January 5, 1855.

From Rev. THEODORE L. CUYLER.

39. THREE HUNDRED GROG-SHOPS EXTINGUISHED IN A DAY.—It was my privilege one night to walk with NEAL DOW through the streets of Portland to see whether there were any grog-shops open, but we could not find one. Three hundred were extinguished in one day in that city.

40. A DISTILLERY IN RUINS.—The distillery was in ruins. A smile played over the good man's [NEAL DOW's] face, as he said: "Ah! my friends, how many tears have we stopped by stopping the manuufacture carried on in that building." Compare with that triumph your heroes returning from a bloody battle-field, and the latter are insignificant in the contrast.

November, 1854.*

41. In September, 1851, the mayor published a statement, addressed to the citizens of Portland, from which we make the following extracts, showing the results of the first three months' experiment of the Maine Liquor Law in that city. We are permitted to publish these statements as contributions.

From Hon. NEAL DOW, Mayor.

42. PUBLIC SALE OF LIQUORS PROHIBITED.—At the time of the passage of the Maine Liquor Law there were supposed to be in this city from two to three hundred shops and other places where intoxicating liquors were openly sold to all comers. At the present time there are no places where such liquors are sold openly, and only a very few where they are sold at all, and that with great caution and secrecy, and only to those who are personally known to the keepers, and who can be relied upon not to betray them to the authorities. These places—with one, possibly with two exceptions—are of the lowest character, and so far as they sell these liquors at all, minister to the depraved appetites of the basest part of our population; but the keepers of these places will soon be brought to justice, so that the traffic in intoxicating liquors, to be used as a drink, will be entirely extinguished in this city.

43. FOREIGNERS.—The shops which I allude to are kept almost exclusive-

* Speech at temperance meeting, Tabernacle, New York city.

ly by foreigners; and the few persons who are now brought to the lock-up in the watch-house, are the customers of those establishments, and are themselves foreigners almost without exception.

44. STOPPING THE SUPPLIES.—The stock of liquors which the keepers of these places had on hand when the law went into operation will soon be exhausted, and some difficulty will be found by them in replenishing their stores, as the law will enable us to stop entirely the supplies of these liquors, which have hitherto been received by railroad and steamboat.

45. NOVEL MODES OF CONCEALMENT.—All those persons who are now selling these liquors unlawfully in Portland are doing it on a very small scale; the supplies which the most of them keep on hand are extremely limited in amount, and every precaution is used to conceal them from the police. In one shop searched was found less than one quart, in two small bottles; in another were found only three bottles containing less than three quarts, concealed in a cellar behind a board; in another the liquor was found under the floor, buried in the earth; and some has been found in deeper concealment.

46. THE WHOLESALE BUSINESS.—Three months ago there were in this city several wholesale dealers in liquors, but at the present time there is not one. The wholesale business ceased entirely when the law went into operation.

47. DISTILLERIES.—There was but one distillery in the State at the time of the enactment of this law, though another was in progress on a very large scale. Operations on the latter were promptly stopped, and the other has been demolished. At the present time there is no distillery in this State.

48. RECEPTION OF THE MAINE LIQUOR LAW BY THE PEOPLE.—The results of the law thus far have been more salutary and decisive than its most ardent friends had any right to anticipate. Although extremely stringent in its provisions and summary in its processes, it was received by the great majority of the people of this city and of the State with approbation, and by all with quiet acquiescence; and in this city its vigorous execution has been attended with as much quiet as has been experienced in the execution of any other law upon the statute-books.

49. NO INDUCEMENTS TO RESIST THE LAW.—This law holds out no inducements to resist its provisions, but makes it decidedly for the interest of all to yield a prompt if not cheerful obedience to its requirements; and the result of it will be that the traffic in intoxicating liquors, to be used as a beverage, will be entirely suppressed in this State.

50. EVASIONS OF THE MAINE LIQUOR LAW.—But some persons may be found who will make attempts, and perhaps successful ones, to evade this law for a time, and risk its penalties under the temptation of large profits, and thus habits of intemperance will be continued in a considerable number of our people, particularly of our foreign population; but steady perse-

verance will enable us, at last, to bring all such persons to justice, or to drive them from the business.

51. ADDITIONAL PROVISIONS IN THE MAINE LIQUOR LAW.—This law, as it now stands, will enable the people of this State to suppress the traffic in intoxicating liquors, except in a few low shops where it may be secretly sold, when some additional provisions may be desirable for the entire extinguishment of the traffic, and to prevent it from reviving when the vigilance of the authorities shall be relaxed; and I am confident that the friends of temperance in this State are sufficiently numerous to procure the enactment of any additional provisions they may think necessary to accomplish these objects.

52. EFFECTS OF THE MAINE LIQUOR LAW ON THE POLICE DEPARTMENTS.—The operation of the law in this city has effected a marked change for the better in every department which is under the care of the police. The night police have comparatively nothing to do; there are few or no street brawls, and it is very seldom that the police or watch are called upon to interfere in any quarrels or disturbances of any kind in shops or houses in any part of the city. Before the enactment of this law scarcely a night passed over without some disturbance of this description, and sometimes the police were called upon to quell many such disturbances in a single night.

53. COMMITTALS OF INTEMPERATE PERSONS.—At the commencement of the present year scarcely a night passed over without the committal to the watch-house of more or less intemperate persons, and sometimes many such were committed in a single night. The practice formerly was to commit no intoxicated persons who were quiet and able to get home. At present the orders to the police and watch are to arrest *all* persons found in the streets and all other public places, either by night or by day, who exhibit unmistakable signs of intoxication; yet with all this rigor the arrests for this cause are very few, sometimes a week or more, and once a fortnight having elapsed without any committal; and were it not for the low grog-shops, kept secretly by foreigners, the committals to the watch-house would not amount to one in a month, and this difficulty we hope to remedy within the year.

54. SEIZED LIQUORS.—The watch-house is now used to keep seized liquors in instead of drunkards, and through the waste-ways of the lock-up condemned liquors are passed off into the common sewers without having fulfilled their mission of ruin and death to our citizens.

55. THE POLICE HAVE LITTLE TO DO.—I am assured by the members of the police and watch that they now have little to do, while before the enactment of the law against tippling shops their number was insufficient to preserve entirely the quiet and peace of the city from the numerous persons to be found in our streets at all times of the night more or less excited by strong drink.

56. RELIGIOUS MEETINGS UNDISTURBED.—I am also informed on sufficient authority that religious meetings, held in the evening, formerly suffered serious disturbance and interruption from persons who would come there from oyster-shops and drinking saloons, strongly excited by intoxicating drinks, but at present no trouble is experienced from this cause.

57. EFFECTS ON THE ALMS-HOUSE.—The operation of the Liquor Law has not yet had time to manifest its effects upon our alms-house establishment, yet unmistakable indications are already observed of its final results in that direction. There were in our alms-house, June 2, 1851 [the law was approved on that day], 116 persons. On the first Monday of August, 85; and on the first Monday of September, 81. There were committed to that establishment,

	Persons.	
By the Municipal Court, in June, July, and August, of 1850...	14	
By the overseers in the same months	11	
	25	25

In the corresponding months for the present year:

	Persons.	
By the court	2	
By the overseers	6	
	8	8
Difference in favor of Maine Liquor Law.....		17

A considerable number of persons now remaining in the alms-house are advanced in life, or imbecile, or otherwise incapable of taking care of themselves; but the most of them were brought upon the city for support through the direct or indirect influence of strong drink.

58. On January 15th, 1852, six months after the Maine Liquor Law had been in operation, the mayor addressed a communication to the Board of Aldermen and Common Councilmen, from which the following information has been collected:

59. CHEERFUL AND QUIET SUBMISSION TO THE MAINE LIQUOR LAW.—From the first the prompt and energetic execution of the law in this city was submitted to cheerfully and quietly. The wholesale dealers in spirits promptly abandoned the business, which it was impossible to carry on a single day under this law; and all those retail dealers who had any self-respect pursued the same course, without waiting for the execution of a statute which regards and treats the keeper of a grog-shop as a criminal of the lowest grade.

60. PROCESS OF RECLAMATION FROM INTEMPERANCE.—Many persons who were habitually intemperate abandoned the use of strong drinks at first

from the difficulty of procuring them; and afterward they were fully sensible that they and their families were much better without them.

61. PUBLIC REGARD FOR THE MAINE LIQUOR LAW.—I have reason to believe that the law is every day becoming more firmly fixed in the favorable regards of the people of this city and State, and I am confident that no retrograde step will be taken here in relation to this subject.

62. PRESERVATION OF THE PUBLIC PEACE.—The salutary effects of this law are more immediately seen in all those departments of our affairs which fall under the care of the police, and the returns of commitments to the watch-house and house of correction will show something of the difference in this department between the present and past years. But these returns will not exhibit the actual difference, because the police and watch during the present year have been more strict than they formerly were in arresting persons found in a state of intoxication. Our streets are now so much more quiet, particularly at night, than they were the last year or any year before, that the difference can not be understood very clearly, except by those connected with the night police and watch. This is attested by the city marshal, the captain of the watch, and by Mr. CURTIS MESERVE, a bank watchman, who is in the streets every night, and in those parts of the city where disturbances would be most likely to occur, and he speaks strongly of the great improvement in this respect. Street disturbances of any kind no longer occur in the city. Fore Street, from Union to Center Street, frequently required, during the last year, the services of four policemen—particularly on Saturday evenings and Sunday nights—and they were often too few; but now that locality is as quiet at all times as any other part of the city, and receives no extra attendance from the police.

63. THE MAINE LIQUOR LAW TRIUMPHANT.—The number of persons who continue to sell strong drink in the city is now very small. They are almost all foreigners, and they sell with great secrecy and caution. An open rum-shop or bar of any kind is entirely unknown. A barrel, keg, or other vessel of liquors is not to be seen in the city at all except at the city agency. The law has executed its mission with more ease, certainty, and dispatch than was anticipated by its most ardent friends. It has been most triumphantly successful.

64. CONSUMPTION OF LIQUOR.—I think it is not an exaggeration to say, that the quantity of intoxicating liquor sold now in this city is not one fiftieth part so great as it was seven months ago. The salutary effects of this great improvement are apparent among the people in all parts of the city.

65. REGULAR ENFORCEMENT OF THE MAINE LIQUOR LAW.—I have now adopted a regular system by which the power of the law to exclude intoxicating liquors from the city, except for lawful purposes, will be fully tested.

66. ALMS-HOUSE RETURNS.—The master of the alms-house has submit-

ted to me the following returns, which show the effect of the law upon that establishment:

1850.—Number of persons admitted from Jan. 1st to Dec. 31st	290
1851.— " " " " " "	262
Difference in favor of the law	28

Average number throughout the year, 106.

1850.—Number of families assisted out of the house from June 1st to Dec. 31st	60
1851.—Number of families assisted out of the house from June 1st to Dec. 31st	40
Difference in favor of the law	20

Average number of persons in the alms-house in

	1850.	1851.	Decrease.
June	110	92	18
July	112	85	27
August	95	81	14
September	88	85	3
	405	343	62

Being a difference of 62 in four months of Maine Liquor Law experience. The superintendent states that this favorable report he is enabled to make is in consequence of the suppression of the sale of liquor.

67. ALARMS OF FIRES, ETC.—These were on the increase up to the period of the passage and approval of the Maine Liquor Law, as will be seen below:

1850.—From February to May inclusive	13
1851.— " " "	24

Being an increase of 11. But after the passage of the Maine Liquor Law, in the four succeeding months, there were only five alarms of fire, and in the corresponding months of the preceding year there were eight, showing a decided decrease from the time of the enforcement of the Maine Liquor Law.

68. NUMBER OF DEATHS.—The number of deaths from

1850.—April to September inclusive	216
1851.— " " "	182
Difference in favor of the law	34

69. These statements are all well authenticated, and it appears that at the time these experiments were being made, the city of

Portland was increasing its population at the rate of about 1,000 a year, so that had there been no decrease in the number of criminals, deaths, etc., it would still have been evident that the increase of these evils, which was for years previous of a fearful character, had received a check by the enforcement of the Maine Liquor Law.

70. COMMITTALS TO THE HOUSE OF CORRECTION FOR DRUNKENNESS:

1850.—From June 1st to December 1st	40
1851.—From June 1st to October 16th (the Maine Liquor Law approved June 2d)	8
1851.—From October 16th to December 31st	0
Decrease in favor of the law	32
From January 1st to May 31st, the five months previous to the approval of the Maine Liquor Law	34
From June 1st to December 31st, *seven* months after the approval of the Maine Liquor Law	8
Difference in favor of the law	26

The House of Correction is now EMPTY!

71. PAUPERS KEPT SOBER.—The master of the alms-house adds, that he formerly had great trouble from paupers out at work or on leave, who would return in a state of intoxication, which was an every-day occurrence. But for months past he has not had a case of this kind, and on the day of the cattle show he let them all out on leave, and all returned perfectly sober.

72. CONVICTIONS FOR SELLING LIQUOR.—The whole number of convictions before our Municipal Court, under the Maine Liquor Law, for selling intoxicating liquors, 101.

73. FINES AND COSTS:

The amount of fines imposed for selling liquors	$1,310 00
Fines imposed for keeping liquors	360 00
Costs for selling and keeping "	373 35
Total	$2,043 35

74. SEIZURES.—The whole number of seizures of intoxicating liquors, about 50.

The value of liquors seized, nearly $5,000 00

75. THE WATCH-HOUSE.—Committals to the Portland watch-house:

	1850.	1851.	Decrease.
June	43	25	18
July	51	21	30
August	50	18	32
September	52	34	18
October	43	21	22
November	44	23	21
December	48	11	37
Total	331	153	178

76. This statement does not show the actual difference in the number of arrests of the two periods of 1850 and 1851, because in the former year the practice of the police and watch was to allow all intoxicated persons who were quiet to get home, if they were able to accomplish it, and often such persons were aided by the watch; but during the corresponding periods of this year the orders to the police and watch were to arrest and commit to the watch-house all persons who were manifestly under the influence of liquor. The application of the same rule to the corresponding period of 1850 would have doubled the number of commitments.

77. FOREIGNERS.—At least nine tenths of the persons committed to the watch-house for the last six months, were foreigners who obtained the means of intoxication from low shops or cellars kept with great secrecy by their countrymen.

78. TESTIMONY OF MR. MITCHELL, CITY MISSIONARY.—Mr. MITCHELL has been city missionary for many years. He has had under his supervision from six hundred and fifty to seven hundred families, and he adds that not one twentieth of intemperate drinking can now be found of what existed when the Maine Liquor Law went into effect. In his constant walks about the city he does not meet one intoxicated person a day; and he does not recollect more than five or six cases for the last six months of complaints of wives that their husbands drink too much. In many inveterate cases which he knows, where both husband and wife drank to excess, they are entirely reformed through the effect of the law, and live happily together.

79. TESTIMONY OF MR. HADLEY, MINISTER AT LARGE.—Mr. HADLEY says that his intercourse is chiefly with the poorest part of the population who are out of the alms-house, and especially with the intemperate. For the quarter just ended, compared with the corresponding period ending December 31, 1850, the calls made upon him for assistance have been less than *one seventh*. The cases where relief was actually afforded were just one sixth as many as they were during the same months of 1850. The amount given in the three months of 1851 was $1 to $5 37½ given in the corresponding period of 1850. These results he obtains from a careful examination of his books, and attributes the difference entirely to the fa-

vorable operation of this law upon the habits and domestic economy of the people.

80. CONCLUSIONS FROM PRECEDING FACTS.—These statements, collected from various sources, all pointing significantly in one direction, can not fail to satisfy the most casual observer that the operation of the Maine Liquor Law, if steadily enforced, will sweep away a large proportion of the poverty, pauperism, crime, and suffering with which we have been afflicted—the result of the traffic in strong drink. I consider the success of this law of the highest importance to the interests of the city, and to the prosperity and happiness of the people. I have not hesitated to exert, for the accomplishment of that object, all the power conferred upon me by the city charter and the city council. It seemed to me to be necessary to pursue such a course, because the bill was drawn and passed under circumstances so peculiar, that the people of the State turned their eyes to this city with common consent, to observe the manner in which it should be executed here. The law is so stringent in its provisions, and summary in its processes, that many persons supposed some difficulty might be found in executing it; and a firm and energetic enforcement of it in this city was necessary to encourage other towns and cities in the State to do the same thing, and to demonstrate to the people of the State and of other States that such a law would be effectual in extinguishing the traffic in intoxicating liquors, which all acknowledge to be an unmitigated curse in every community in which it is tolerated.

81. EXPENSES OF ENFORCING THE MAINE LIQUOR LAW.—On the 12th of June, 1851, the council of Portland passed the following order, to wit:

Ordered, That to give full force and effect to the "Act for the Suppression of Drinking Houses and Tippling Shops," recently enacted, and to procure the full benefits thereof to the city as speedily as possible, the Mayor be, and he hereby is authorized to draw his orders on the Treasurer from time to time, and for such sums as he may judge necessary and proper to secure the prompt enforcement of said law.

82. If the suppression of all our grog-shops could have been effected at a cost to the treasury of some thousands of dollars, it would be regarded as a good financial operation; but I have made it a point in carrying on the warfare against the illegal traffic in rum, to compel the enemy to pay the expenses of the campaign. So far I have succeeded in accomplishing this object, and I am confident that at the end of the municipal year I shall be able to report to the city council that this traffic is entirely extinguished, and that the city has not paid a dollar of the cost.

83. The period for which Hon. NEAL DOW had been elected mayor of the city terminated in April, 1852. He has favored us with the following facts as to the results of the workings of the Maine Liquor Law in Portland up to that period:

84. ALMS-HOUSE STATISTICS:

Commitments from June 1, 1850, to March 20, 1851 (before the law)	252
Committed from June 1, 1851, to March 20, 1852	146
Difference in nine months	106
Number in the alms-house, March 20, 1851	112
" " " March 20, 1852	90
Difference in favor of Maine Liquor Law	22
Number of families assisted out of the alms-house, from June 1, 1850, to March 20, 1851	135
From June 1, 1851, to March 20, 1852	90
Difference in nine months (one third)	45

Seventy-five of the ninety came there through intemperance; four of the ninety were not brought there through that cause; the history of the other eleven is not known.

85. WATCH-HOUSE STATISTICS.—The watch-house in every city is the peculiar institution which gathers up all the odds and ends of humanity which have been peeled and pulverized by the grog-shops, and the statistics of the watch-house of Portland for the corresponding portions of the years 1850, '51, will show the same effect of the Maine Law, or of some other cause; and if not the Maine Law, what was it?

Committed to the watch-house from June 1st, 1850, to and including March, 1851	431
For the corresponding period of 1851, '52, after the enactment of the Maine Law	180
Difference in favor of the Maine Liquor Law	251

A deduction of almost three fifths. These results were obtained, notwithstanding that the course adopted by the police and watch of 1851 was very different from that of 1850. During the former year, the uniform course was to permit all intoxicated persons to make their way home, if they were able to do so, and were quiet; and always, we believe, peaceable drunkards were assisted to their homes, if their residences were known; there was no reason for pursuing any other course. But during 1851, after the enactment of the Maine Law, the uniform course of the police and watch department was to arrest and commit to the watch-house all persons who were found intoxicated, in order to discover, through them, the secret grog-shop. Notwithstanding this policy, the commitments fell from 431 to 180 in ten months.

86. HOUSE OF CORRECTION STATISTICS:

Commitments for intemperance from June 1st, 1850, to March 20th, 1851	46	
Commitments for larceny, etc., same period	12	
	58	58
Commitments for same period to March 20th, 1852—for intemperance	10	
" " " " " " for larceny, etc.	3	
	13	13
Difference in favor of the law		45

87. GENERAL RESULTS OF THE FIRST YEAR'S EXPERIMENT.—During the first municipal year after the enactment of the Maine Law, Mr. Dow being mayor of Portland (says the editor of the *Maine Temperance Journal*), that enactment was enforced with rigor, and the results were such as we have already shown them to have been. The grog-shops were entirely closed, the liquor traffic had ceased, even at the hotels, the keepers of which had given to the mayor a declaration in writing, that in good faith they would obey the law, as had also almost all the other rumsellers in the city. The change in the whole appearance of the city was very great and for the better, so as to attract the attention of the most casual observer. Some liquors were secretly sold, to a very limited extent, almost entirely by our foreign population, but intemperance was rarely seen in our streets. Fore Street was as quiet and orderly by night and by day as any other in the city.

88. These facts, and the diminution of the wholesale trade in liquor, alarmed the wine and liquor merchants in Boston. They could see clearly that if NEAL DOW were permitted to continue in the work in this successful manner, their business would soon be at an end, and the liquor traffic would be abolished. They accordingly subscribed large sums of money, which were employed by the ex-rumsellers in Portland at the spring election, not for the election of municipal officers *openly opposed to prohibition*—that no amount of money or influence could have done—but for the election of men who were ostensibly in favor of a "*judicious enforcement of the law*." By exerting their influence in this underhand manner they succeeded in preventing NEAL DOW from being re-elected, and the result has been—although not equal to the expectations of the Boston men, who thought the defeat of NEAL DOW would involve the overthrow of the Maine Liquor Law—

certainly injurious to the successful prosecution of the good work in the city of Portland.

89. The excitement of the election just referred to had never been equaled by any other in the State of Maine, showing how deeply were the feelings of the people interested in that event, and how great were the electioneering *means* resorted to to effect the defeat. These statements are confirmed by the following:

From Mr. Alderman THOMAS, one of the Representatives of the city.

90. HOW NEAL DOW WAS DEFEATED.—Well, you may not understand why NEAL DOW was not re-elected, and it will take some time to make you acquainted with all the kinds of opposition brought against him. One thing, however, you will keep in mind at the outset: Mr. Dow had a majority of the legal votes. Many people were brought up to the poll who had no right to vote, but they swore that they were so-and-so. Some of them were rejected at the poll. There were hundreds of naturalization tickets brought from Boston, and handed to parties who came up and swore on these tickets, and thus the list was raised. It was understood that these tickets were borrowed for the occasion in Boston, and given to people who lived in the country and had no kind of title to vote in Portland. Two men, two leaders of a party, who told me they were determined to hazard any amount of money to defeat Mr. Dow's election, said they were prepared to expend from $3,000 to $4,000 to accomplish that object. It was shrewdly suspected where that money came from. Then Mr. Dow's opponent was no mean man. He was the most popular man in the whole State of Maine, and was a friend of the temperance movement. It was not Rum *versus* Maine Law, as it was in the election of our Governor, but rather the Maine Law mildly enforced *versus* the Maine Law put right through, as they say. The representatives of the city of Portland are all temperance men. No other than a temperance man could be elected to represent the city. You can not at the present time elect a rum man for any office in the city whatever, by popular vote. There has not been a time in the history of Portland when the temperance party has been so strong in all respects—in numbers, in intellect, and in wealth—as at this present moment. No party in the city would think of putting up any man for election to any office in the city who was not a *bona fide* temperance man. I do not think there has been in this city one single instance of resistance to the law, and I am fully convinced that no sort of combination whatever could be formed by any party to prevent the passing of a more stringent law. Our ministers of all denominations are united in favor of the law.

February 10, 1855.*

91. Although the enforcement of the law with the vigor and

* From *The Maine Law Illustrated.*

promptness which can best secure its success ceased with NEAL Dow's administration, its favor with the people has gone on increasing both in the city and State, as is evidenced by the recent re-election of Hon. NEAL Dow to the office of mayor.

92. THE SUCCEEDING ELECTIONS.—At the two succeeding municipal elections in this city (says the editor of the *Maine Temperance Journal*), the same "moderate and judicious" policy was adopted and persisted in until, by the appointment of our present municipal judge, it was completely run into the ground. The result, though very far from being so bad as these persons desire and would represent it to be, is yet very different from what the friends of temperance wish. These men, after doing the utmost in their power to prevent the operation of the Maine Law, and succeeding to a considerable extent, turn around, and endeavor to convince the people of other States that the law itself is a failure, while in fact the law is not permitted to have a fair field in which to exhibit its power. To say nothing of the rest of our municipal authorities, it is sufficient to say that our police force, with few exceptions, is contemptible beyond power of description; and every one knows that a respectable and efficient police force is the very life of a city government. The Maine Law is now adopted as the settled policy of the State, and the people will not any longer allow its operation to be embarrassed by inefficient administration, nor by corrupt, ignorant, or prejudiced judges.

93. Notwithstanding the inefficiency of the rum-elected officers in the enforcement of the law, the severity of recent winters and the rapid increase in the population of Portland, we find that in no case has the number of commitments to the alms-house reached the number which occurred in 1850, before the enforcement of the Maine Liquor Law, as the following statistics will show. Calculating from the statements furnished us, we find the

Commitments in 1850	312
" " 1851, partially under NEAL Dow's administration	191
Decrease in favor of NEAL Dow's enforcement of the law	281

Since NEAL Dow's mayoralty:

Commitments in 1852	244	
" 1853	243	
" 1854	263	740
Add commitments in 1851		190
		940

Making an average of 235 for each year since the enforcement of the Maine Liquor Law, which is 77 less than the number of commitments in 1850, before prohibition came into operation. Now, as the population had increased about 3,000 in these four years, or about one seventh, the

Number of alms-house commitments (if it had not been for the Maine Liquor Law) would, by increasing with the ratio of population, have been in 1854	356
While with the amount of prohibition enforced, it was	263
Being a decrease in favor of prohibition of	93

It will be seen, therefore, that in spite of all the wealth of Boston merchants, and the political schemes and contrivances of unprincipled lawyers, backed by judges and courts well prepared to render a decision favorable to the interest which it is most profitable to serve, we are enabled to show a diminution of this description of pauperism of nearly one third. What it would have been if NEAL DOW had been permitted to complete the noble work he had begun in Portland can be readily seen from the facts already stated of the results of his first nine months' experiment.

94. The statistics of the House of Correction since 1850 are equally forcible in illustration of this position:

Commitments in	1850,	before	the Maine	Liquor Law	60
"	1851,	after	"	"	48
"	1852	"	"	"	38
"	1853	"	"	"	35
"	1854	"	"	"	20

The extraordinary reduction in the last two years is accounted for by the establishment of a Reform School, where some prisoners have been sent who otherwise would have been committed to the House of Correction. But in 1852 the diminution from 60 to 38 can be attributed to no other cause than prohibition.

From Rev. WM. H. HADLEY, Minister at large.

95. POVERTY.—I entered upon the duties of this ministry, an entire stranger in the city, on the 1st of April, 1849—nearly three years ago. My first endeavor was to make the acquaintance of as many of the poor as pos-

sible—to learn their history—the causes of their "poverty and suffering," to the end that, if possible, the true remedy might be discovered and applied. I soon came to the conclusion, from the most careful observations, that *full seven eighths* of all the *abject poverty, squalor*, and *suffering* of the poor in this place were the results of intemperance. My subsequent daily experience has thoroughly confirmed this opinion. The records of a three years' diary, made, I think, with utter impartiality, confirm it.

96. LICENTIOUSNESS.—I made a more thorough investigation of the character and habits of the first one hundred families (which I had taken up almost indiscriminately, having been attracted to them chiefly by the insignia of poverty, vice, and suffering) than I have subsequently been able to make in regard to most of the new ones added from time to time to my list, the increased labors of my calling not allowing so careful examinations in many cases afterward. In full three fourths of the hundred families in question, intemperance prevailed to a greater or less degree, and a part or the whole of the means of subsistence in *thirty* of the intemperate ones was the wages of *infamy*. Whether this latter vice is in any measure a *result* of intemperate drinking, I do not now pretend to say. But I have not found persons addicted to licentious practices among the totally abstinent.

97. THE LAST RESULTS OF DRINKING.—Since my residence here, and previous to the passage of the Temperance Law, five persons in one small neighborhood have died of *delirium tremens;* one man was found dead in the grave-yard with his jug of rum, its contents half consumed, by his side; one murder and one highway robbery—as the immediate consequence of excitement by strong drink—have been perpetrated within, and just without the precincts of the city; three cases of divorce have occurred among the people of my special charge, in each of which, one or both the parties came to me for advice, intemperance being the *sole* cause in each case. *Almost* all the truants, and juvenile delinquents of every description, who have come under my notice, and they are numerous enough, were children of intemperate parents. The same may be said of young street beggars, which *were abundant*, but have now almost all disappeared—and of more than half a score of young girls of my acquaintance, in this city, who have gone to infamy and ruin.

98. APPLICATIONS FOR RELIEF.—During the winter of 1850–51, scarcely a day passed on which I was not called upon, in numerous instances, to render relief to families on the very verge of starvation or freezing, whose destitution and suffering were the immediate consequences of intemperance. Not a single case of the kind, or one in any wise analogous to it, has occurred within my knowledge for six months past. The calls for relief made upon me, in cases of *real distress*, during the winter in question, were usually from five to twenty daily—to say nothing of the ordinary calls to obtain employment, etc., etc. But for the last four months, a period embracing all the severity of our long winters, I have not had five urgent calls for im-

mediate relief on a single day, and according to my exact records more than twenty secular days have occurred during this period on which I have not had a single application for relief. I have not witnessed a case of suffering as the immediate consequence of intemperance during the same period; and, indeed, I have scarcely witnessed any suffering during this time, except from sickness and pain, to which all classes are alike subject. Of the severity of the season I need not speak. Rents were never higher in Portland than at present, particularly of such tenements as the poor occupy. Productive employment in such callings as poorer classes are usually adapted to, has been peculiarly difficult to obtain during the winter, and for want of it many of them are justly complaining. And there has been more than twice as much sickness among this class of persons for the last two months as during any previous two months of my residence here.

99. THE CONTRAST.—*I have not seen a person intoxicated for three months*, and only one or two who appeared to be in the smallest degree under the influence of intoxicating drinks. Several men of my acquaintance who were habitually, almost daily, drunk, a year ago, and whose families were sustained and kept from perishing by the hand of charity, are now sober, and have been earning—some $1 00—some $1 25—some $1 50 per day, through the winter, and their families are living comfortably and independently. Some of these identical families were often entirely destitute of food and fuel, sometimes for one day, sometimes for two, at once, during the winter a year ago, and were relieved through my agency.

100. OPINION OF THE POOR.—I have made a special point of conversing with very many poor, intemperate men in regard to their opinion of the Temperance Law. Some of these were among the most unfortunate victims of intemperance; and I have not found among them all a single opponent of the law, or one who would have it repealed. They express a *unanimous wish*, as far as I have been able to ascertain, that the *temptation* may be entirely removed. Mr. C., of ——— Street, a noble, generous-hearted American seaman, but much of the time on shore, was always more than "half seas over," as long as the grog-shops were in full blast, except occasionally (as I had full opportunity of knowing)—when he was accustomed to shut himself up in his house for a day or two at once, to avoid a temptation which he assured me he had not the moral power to resist when it was in his way. Most bitterly did he lament his enslavement to the cruel tyrant, and now he exults in the overthrow of his mortal enemy. I have several instances of the kind on record before me—take this as a sample of many. I believe that not one tenth of the victims of a depraved appetite, among the poor in this city, who suffered most from intemperance, are opposed to the law, but rather, they would gladly see it rigidly enforced according to its true intent.

March 10, 1852.*

* *Massachusetts Life Boat Extra.*

101. CONSUMPTION OF LIQUOR.—One of our most respectable merchants positively asserts, that he has sold *four times* as much himself in a year as he has any reason to believe has been sold in the same time here since the enactment of the law, and at the same time there were nine or ten large wholesale liquor stores in the city, some of which sold much more than he did, to say nothing of what was sent out directly from the distilleries. If there is any necessity for it, I presume these gentlemen will allow me to use their names, but I choose not to do it without their permission. One of them asserts that he seldom if ever sold a bill of goods, in the times alluded to, that was not headed by a hogshead of N. E. Rum—next a barrel of W. I. Rum, etc., etc. I have made particular inquiry as to whence came the *foreign liquors, wines, brandies, gins, rum, etc.*, and the uniform response has been, "They were manufactured chiefly in Boston and New York"—they were "mixed." Now, admitting what is provable to a demonstration, that about a million and a quarter of gallons was manufactured here—and what appears to be undoubted—that almost as much more was brought here from abroad, besides what came through the custom-house, which was but "a drop of a bucket," we have the snug little amount of two and a half millions of gallons, when our population was not more than sixteen or seventeen thousand. We ought to have at least four millions now, to make the equal proportion! How is it? Have we really more than one thousand gallons a week brought into this city in *coat pockets, flour barrels*, and *cases* in *imitation of bibles?* I do not believe it. It is true that there is a little illicitly smuggled in, and that occasionally some of our "*promising*" young men are "guzzling" it in their rooms. What then? Why, the law has not yet wholly annihilated the use of alcohol, nor corrected the vicious habits of all the slaves of appetite. But it has closed more than three hundred grog-shops—and stopped the open trade entirely. We have not now a drop manufactured here—none comes through the custom-house, and most that is used is secreted in Irish dens. Genteel and fashionable families make some use of wines and liquors—not a fourth part as much as formerly, and not more than they did three years ago. But perhaps you or some one may ask if the traffic in liquors did not greatly diminish before the enactment of the law? I will let these wholesale dealers answer—the very men who say it has diminished *forty-nine fiftieths*. None of these have put the diminution at more than *two thirds*, before June '51; most of them say one half. Call it two thirds. Then public opinion and human progress diminished it from its worst state, about thirty-three parts (or two thirds), and the Maine Law sixteen parts (or *sixteen seventeenths*) at once! This is not derived, I repeat, from the special friends of the law, but partly from its enemies, and mostly from those who have become its friends by seeing its operation. There are many such among our most influential citizens. I would no more dispute a man who says that there is more drinking in Portland than ever, than I would dispute one who should say that he had seen TOM THUMB and

GOLIAH standing on a level, and that TOM was a head and shoulders higher than GOLIAH. But I do not claim so much for the law as my informants allow. I do, indeed, think that the sale and consumption has fallen off forty-nine fiftieths, but I think that the law has only reduced the amount to about *one tenth*, on the whole, of what it was three years ago.

September 6, 1853.*

From *The Maine Law Illustrated.*

102. LIQUOR TRAFFIC SUPERSEDED BY HONEST TRADE.—"There," said NEAL DOW, as we drove down the streets with him—"there, where that harness-maker's shop is, was a large grog-shop; there, the next door but one, was another, and in a stone's throw I could point you to twenty in the line of this street; but these places are now filled by honest, industrious tradesmen."

February 16, 1855.

From Rev. D. E. PECK, Editor of the *Maine Temperance Journal*, the leading Temperance Organ of the United States.

103. RECLAIMED FROM INTEMPERANCE.—I know a number of cases of reclamation from intemperance—as a direct result of the Maine Law—men who were intemperate previous to the passing of the law, and have since become sober men. Four instances have come under my own observation, and there are many others in the city of which I have been credibly informed. One of these is a very interesting case. He was a miserable drunken creature before the passage of the law. During Mr. Dow's mayoralty he could not get a drop of liquor, and was from absolute necessity forced to go without it. He found after a trial that he could do without it, and he has since become an industrious man, and accumulated some little money. He and his wife are now regular in attendance at the church, and his family, wretched and miserable before, are now comfortably clothed. He has purchased the house in which they now live, and a great part of the purchase-money is paid. The other three to whom I alluded have become sober, respectable men.

104. NEW CHURCHES ERECTED.—Since the passing of the law five new churches have been erected in this city. I remember at the time these churches were commenced, objections were raised by some that it would draw off the people from the old congregations; but such has not been the case. Every old congregation has increased, and our new churches are well filled. The fact is, we require one or two more churches.

105. SABBATH SCHOOLS.—With regard to Sabbath schools, I know of many children now attending Sabbath school, who, before the passing of the law, were children of intemperate parents, and were never to be seen at a Sunday school.

February 14, 1855.†

* From *Facts from Maine*—JOHN NEAL'S *Charges Refuted.*

† In *The Maine Law Illustrated.*

From Rev. WM. M'DONALD, Methodist Episcopalian, Agent of the Methodist Episcopal Church Annual Conference.

106. PUBLIC HEALTH.—Our city is now one of the most healthy in the world. Health has very much improved under the Maine Liquor Law.

107. RECLAIMED FROM INTEMPERANCE.—I have known many reclaimed by the Maine Liquor Law who were sots when it was enacted.

108. TRADE.—I have been informed by persons in business that trade has improved as a result of the Maine Liquor Law.

109. THE SABBATH.—I can speak with confidence on this subject. The observance of the Sabbath has increased wherever the Maine Liquor Law has been enforced.

110. ATTENDANCE AT CHURCH.—I have seen many at church since the enforcement of the law whom I have reason to believe were kept away before through the influence of rum.

111. PUBLIC OPINION.—The general feeling of respectable citizens is, that it is a glorious law; that it *can not* and *shall not* be repealed, but perfected until it shall drive every rum-shop out of the world.

February 6, 1855.

112. Numerous statements of the results of prohibition in Portland having been made by JOHN NEAL and JOHN L. POOR, tending to mislead the people in distant parts of the country, four hundred and thirty-three of the most reliable citizens of Portland, headed by Mr. CAHOON, the then present mayor, Mr. GREELY, the former mayor, Mr. WOOD, who built the Atlantic and St. Lawrence Railroad, Gen. FESSENDEN, Mr. CUMMINGS, formerly collector of the port, Mr. THOMAS, President of the Canal Bank, Mr. IRA CROOKER, a merchant of high standing, and nearly all the clergy of the various denominations, signed their names to the following statement of the citizens of Portland:

Our attention has been recently called to statements made by two citizens of Portland in relation to the operation of the Liquor Law in this city and State. These statements are, in substance, that there is more intemperance and more liquor sold and drank in this city and State at the present time than before the passage of our existing liquor law. One of them even goes so far as to say that there is more intemperance "in this city and neighborhood, and probably throughout the whole State, with here and there a doubtful exception, than there has been *at any other time for twenty years!*" and both give representations of the condition of things in Portland, calculated, if believed, to affect injuriously the fair reputation which our city has heretofore sustained abroad. If these statements had been published and circulated only in this city and State, we should not feel

called upon to notice them; but having been circulated abroad, to the injury of the reputation of our city and State, and in a manner calculated to work serious mischief, we feel it our duty to unite in saying—as we do in the most unqualified terms—that we deem these, and all similar statements, as most grossly and palpably erroneous and unfounded. That they are erroneous and unfounded must be manifest to every candid and unprejudiced citizen of our city, not only from the apparent condition of things, but from that very sure test as to the existence of intemperance, the records of pauperism and crime. We deem it proper to add, that the personal position which most or all of us occupy in regard to the practical business and pursuits of this city, enables us to speak in this matter from actual personal knowledge of facts.

October, 1853.

Here followed the list of four hundred and thirty-three signatures, of which the *Portland Advertiser* remarked at the time:

A careful analysis would show that a very large proportion of the signers are men of "property and standing," and men of large business—for the reason that the paper was more extensively circulated among that class, inasmuch as efforts have been made to produce the impression that they are generally opposed to the law, and that it meets with favor only from men of "humble ambition." But the list also includes the names of many others—men of humble fortune and less property, but of equal intelligence and worth. It embraces men of all parties and of all sects without distinction. If the number of names had been the principal object it might, with very little effort, have been so increased as to have presented an overwhelming majority of the whole body of our citizens.

113. One of the most active opponents above referred to—Mr. JOHN L. POOR, is editor of *The State of Maine* newspaper, already spoken of in the previous Chapter [Sec. 44 and 45]. It is remarkable that this very paper, while it denounces the Maine Law as a curse to the city of Portland, boasts of the prosperity of the city, asserting that "Portland has almost entirely escaped the severe monetary pressure that has swept over the country since July, 1854," and that, "We are well assured that the merchants of our city are prepared to prove Portland as good a market for goods of any kind as can be found." These assertions, made on occasions when the Maine Liquor Law is not under consideration, illustrate the saying, "The truth will out." We have no doubt but a city which has made temperance its general rule and intemperance the exception, will prove itself not only as

good, but in proportion to its number of inhabitants a better market for useful goods than any other; and the returns from other cities and towns justify the conclusion, that this prosperity arises in a great measure from the increased temperance and consequent industry and true economy of the people.

114. We have thus endeavored to present a fair and impartial statement of facts in relation to Cumberland County, and especially to the city of Portland, during this important experiment. We can add our personal testimony to the truth of what we have given as the statements of others, in reference to the absence of the liquor traffic in Portland as an open trade, having recently spent several days there, taking every opportunity to see if there were any liquor sold, and we saw none. We therefore leave these statements for the serious consideration, not only of philanthropists who desire to see crime diminished for the sake of the criminals, but of the rate-payers and tax-payers of every city and county who are continually bearing on their oppressed shoulders the load of expense saddled upon them by the effects of the liquor traffic, while those who are guilty and who profit by it only pay the same amount as those who are innocent of this great crime against the rights of the community.

115. It may be said that much of our evidence has been obtained of NEAL DOW, who is an enthusiast in this cause, and who may make statements to favor his own strong views; but the statements are obtained from sources which are equally accessible to the enemies of this law, and although many of them have had a wide circulation in the State of Maine, we have never seen or heard even a doubt of their accuracy being expressed, much less a disproval or a contradiction.

116. But the testimony we have introduced is not all from NEAL DOW, and it will be seen that our sources of information are various, even in this chapter, and that throughout this portion of our work the testimony is precisely to the same effect, that in proportion as prohibition is enforced, crime has diminished, and the blessings of temperance, peace, and prosperity are increased.

Chapter Three.

As respects the nature and utility of the Maine Law, I have but one testimony to give concerning it—that is, in its favor. Its influence in our State has been blessed—thrice blessed.—REV. DAVID CUSHMAN, Maine.

FRANKLIN COUNTY.

Franklin County long blessed with prohibition—Population—Public opinion—From J. D. PRESCOTT, Esq., Member of Legislature:—Legislature all temperance men—Reclaimed from intemperance—Attendance at church—Every town in the county.

NEW SHARON.—Population—Period of enforcement—From Rev. DAVID COPELAND:—Fifteen years' prohibition—Crime—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion—The frightened rumsellers.

1. IT will be seen from the following contributions that this county has long been blessed, to a certain extent, with prohibition, by the enforcement of the license laws and the refusal of magistrates and boards of aldermen to grant licenses. The complete enforcement of the law when enacted was a natural consequence of this preparation for it.

2. Population 79,538.

3. The public opinion of this county must have been well prepared for the Maine Liquor Law, by the benefits obtained from the experiments made in the enforcement of the old laws.

From J. D. PRESCOTT, Esq., Member of Legislature.

4. LEGISLATORS ALL TEMPERANCE MEN.—At the time the Maine Law was enacted, the county of Franklin was strongly democratic, and the Democratic party were accounted as the opponents of the law. The friends of temperance consequently organized upon the law, and succeeded by a majority of several hundreds in returning every member to this House and to the Senate upon this issue alone. There were five Maine Law men sent to the Assembly and one to the Senate, so that the delegates from that county are entirely Maine Law.

5. RECLAIMED FROM INTEMPERANCE.—I know a great many instances of reclamation from intemperance in consequence of the enforcement of the law among the laboring and mechanical classes. Before the law, some of their families were living in wretchedness; now they are surrounded by comfort. We have very many such instances in our county.

6. ATTENDANCE AT CHURCH.—The attendance upon public worship has gradually increased since the law was passed.

7. EVERY TOWN IN THE COUNTY.—The law is enforced successfully in every town in the county, and the effects are most salutary; peace and order, and every thing desirable is the result.

February 21, 1855.*

NEW SHARON.

8. Population 1,732.

9. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

From Rev. DAVID COPELAND, Methodist Episcopalian.

10. FIFTEEN YEARS' PROHIBITION.—The Maine Liquor Law (in its principles) has been in operation here, really, for more than fifteen years.

11. CRIME.—As a result of this prohibition and other causes, this town is nearly free from open criminal offenses.

12. RECLAIMED FROM INTEMPERANCE.—Several cases of reclamation have come under my observations as resulting, in part, as I judge, from the Maine Liquor Law.

13. TRADE.—There has been an increase of trade to a very fair extent as a result of prohibition.

14. THE SABBATH.—I judge the observance of the Sabbath has increased ten per cent.

15. ATTENDANCE AT CHURCH.—Though I am an itinerant preacher, I apprehend the attendance at my church has increased from five to ten per cent.

16. PUBLIC OPINION.—It charms the citizens here much; for no point of legislation are they so enthusiastic. It is universally believed to be good.

17. THE FRIGHTENED RUMSELLER.—A Carson League was formed here last fall, which frightened some two or three sly rumsellers, and they quit. I know of many incidents showing the value of the law, and nothing bad has arisen from its enforcement.

February 15, 1855.

* From *The Maine Law Illustrated.*

Chapter Four.

Every month, in this State, since the enactment of the Maine Law, the prohibitory policy has grown constantly in favor with our people, until at the present time we have no party at all opposed to it, the total Anti-Maine Law vote throughout the State, at our September election, being only about 3,500, out of a total vote of 91,000! A *rum party* no longer exists in Maine.—NEAL DOW, *December* 25, 1854.

HANCOCK COUNTY.

The force of public opinion in Hancock County—Population.

AMHERST.—Population—From Rev. H. LORING:—Period of enforcement—Public health—Public opinion—Desperate rumsellers.

BROOKLIN.—Population—From Rev. O. B. WALKER:—A temperance town—Reclaimed from drinking—Public opinion—Prosecutions—Trade—The Sabbath—Attendance at church.

1. THE thoroughness with which Hancock County has adopted the temperance principle, and the enthusiasm and determination with which public opinion, by the aid of the Maine Liquor Law, is enabled to keep the rum party in check, is most strikingly exemplified in the following statements.

2. Population 34,372.

AMHERST.

3. Population 323.

From Rev. H. L. LORING, Orthodox Congregationalist.

4. PERIOD OF ENFORCEMENT.—Since June 2d, 1851, but not as rigorously, perhaps, as it should have been.

5. PUBLIC HEALTH.—I think wherever the law has had effect, there has been an improvement in the general health of the community.

6. PUBLIC OPINION—The general feeling of respectable citizens is decidedly in favor of the law. All go in for it as what must be sustained, even at the sacrifice of political preference.

7. DESPERATE RUMSELLERS.—This law has generally rendered desperate rumsellers more fearful than any previous law could.

February 20, 1855.

BROOKLIN.

8. Population 1,032.

From Rev. O. B. WALKER, Baptist.

9. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

10. A TEMPERANCE TOWN.—We have no rum taverns or rum stores, nor do we think that either would exist long if any one should be so vile and unprincipled as to make the attempt. We are a temperance town, and the

advantages thereof in health, freedom from crime, etc., have been long enjoyed.

11. RECLAIMED FROM DRINKING.—Two "temperance clubs," of one hundred and eighty members, most of whom were moderate drinkers, and some "hard cases," have been kept from drinking.

12. PUBLIC OPINION.—All respectable citizens are in favor of the Maine Liquor Law. And we think it should be more stringent; to punish all culprits more severely.

13. PROSECUTIONS UNDER THE LAW.—Some prosecutions have occurred. Persons stand in fear of the law.

14. TRADE.—There has been an increase in the legitimate home trade of the town since the enforcement of the Maine Liquor Law.

15. THE SABBATH.—The observance of the Sabbath has increased very much.

16. ATTENDANCE AT CHURCH.—The attendance at my church has increased in some degree, but not so much as at some other churches, as mine have been mostly temperate people for many years.

February 19, 1855.

Chapter Five.

The people of Maine believe that the most important question to them, for the prosperity of the State and the general welfare and happiness, is this great one of protection from the rum traffic; and in their determination to secure this great boon for themselves and their children, they resolve to ignore all party prejudices, preferences, and attachments, to defer for the time all other political questions, and to vote only for those men who will represent this wish truly, and co-operate with them faithfully in its accomplishment.—NEAL DOW, *December* 25, 1854.

KENNEBECK COUNTY.

The public appearance of drunkenness removed—Population—From Rev. ISAAC LORD:—Fourth of July gatherings—Camp meetings.

AUGUSTA.—Population—From H. M. HARLOW, M.D.:—Public opinion—Abolition of drunkenness.

CHINA.—Population—From Rev. L. KINGMAN:—Period of enforcement—The work done before—Public opinion.

FAYETTE.—Population—From Rev. ISAAC LORD:—Period of enforcement—Reclaimed from intemperance—Trade—The Sabbath—Joining the Church—Public opinion—Public sale of liquor—Constant vigilance—Good effects on families—Benefits of the Maine Liquor Law.

GREEN.—Population—From Mr. AUGUSTUS SPRAGUE:—Period of enforcement—Public health—Reclaimed from intemperance—Public opinion—Reduction in the consumption of rum.

READFIELD.—From His Excellency Governor MORRILL:—The traffic stopped—Consumption of liquor.

1. THE public disgrace of drunkenness, so common in the streets where the Maine Law is not in operation, seems to have been removed in Maine, especially in this county, as will be seen by the following statements.

2. Population 149,617.

From Rev. ISAAC LORD, Methodist Episcopalian.

3. FOURTH OF JULY GATHERINGS.—A great benefit of the Maine Liquor Law here is seen in the public gatherings. Last fourth of July there was a Free Soil and Temperance celebration at East Livermore, Kennebeck County. From eight to ten thousand persons of all sorts and colors were present, and yet it was said there was no intoxicating liquor seen, nor any of its usual effects. I made a close examination and saw none.

4. CAMP MEETINGS.—In camp meetings and religious assemblages we find a great benefit from the Maine Liquor Law. The intemperate used to be a great obstacle in our way, but now this curse is out of the way. This is true of all assemblies of the people, and with few exceptions; once it was otherwise.

February 16, 1855.

AUGUSTA.

5. Population 8,225.

From H. M. HARLOW, M.D.

6. PUBLIC OPINION.—The general feeling of the community, among the most respectable, is that the Maine Liquor Law is a good one. That if it is enforced, the result will be all its friends wish.

7. ABOLITION OF DRUNKENNESS IN THE STREETS.—The most marked change that I have observed in the community since the passage of this prohibitory law is the almost total abolition of street and gutter drunkenness. The quiet, peaceable citizen now but seldom has his sensibilities shocked by the sight of a fellow-being reeling his way around our streets, clamorous and quarrelsome with all who came in his way, or wallowing in the ditch, vainly striving to raise himself to an erect position by hugging the curbstone before him. Not only is this true on ordinary days, but on all public days, when, if ever, a man feels "liberal, free, and independent."

February 3, 1855.

CHINA.

8. Population 2,769.

From Rev. L. KINGMAN, Baptist.

9. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here ever since its enactment in the State Legislature.

10. THE WORK DONE BEFORE.—This was a temperance town before the Maine Liquor Law passed, and consequently but little change was effected thereby.

11. PUBLIC OPINION.—The general opinion of respectable citizens is in favor of the Maine Liquor Law.

December 21, 1854.

FAYETTE.

12. Population 1,085.

From Rev. ISAAC LORD, Methodist Episcopalian.

13. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here ever since 1851. It was enforced in this village then, and the public sale of intoxicating liquor ceased at that time.

14. RECLAIMED FROM INTEMPERANCE.—Two cases of reclamation from intemperance have come within the scope of my own observation as the result of the Maine Liquor Law, and many more of persons who are restrained from drinking, as there is no liquor to be sold. The families of these men enjoy the benefit of the Maine Liquor Law.

15. TRADE.—The legitimate home trade has consequently been increased, and those that were once idle are now industrious.

16. THE SABBATH.—The observance of the Sabbath has been increased.

17. JOINING THE CHURCH.—One person who was a notorious drunkard before the Maine Liquor Law came into operation, is now a worthy member of our church. The Maine Liquor Law prepared the way, and the Gospel had its effect upon him.

18. PUBLIC OPINION.—The general feeling or opinion of respectable citizens is, that the Maine Liquor Law is just what we needed; that it is one of the best laws ever enacted in the State of Maine, and that it is a great blessing to the intemperate.

19. PUBLIC SALE OF LIQUOR.—The Maine Liquor Law at once stopped the sale—the public sale—of intoxicating liquor, and when any are found selling in secret, an application of the Maine Liquor Law stops it at once.

20. CONSTANT VIGILANCE.—We need a continual look out, for there are some public sources through which some intoxicating liquor is obtained from other States, and through false pretenses.

21. GOOD EFFECTS ON FAMILIES.—The good effects of the Maine Liquor Law are seen and enjoyed by many families in this village, in the erection of new houses, repairing of old ones, and the inmates being now well clad, fed, and raised to respectability.

22. BENEFITS OF THE MAINE LIQUOR LAW.—We know many houses that ought to have inscribed on them, "Benefits of the Maine Liquor Law."

January 9, 1855.

GREEN.

23. Population 1,300.

From Mr. AUGUSTUS SPRAGUE, Farmer.

24. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

25. PUBLIC HEALTH.—The general health of the community has improved.

26. RECLAIMED FROM INTEMPERANCE.—Perhaps six cases of reclamation from intemperance have come under my own personal observation.

27. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly favorable to the law.

28. REDUCTION IN THE CONSUMPTION OF RUM.—Rumselling has diminished in this town from about seventy to five barrels per annum.

February 11, 1855.

READFIELD.

29. Population 1,985.

From His Excellency Governor MORRILL.

30. THE TRAFFIC STOPPED.—We had five or six grog-shops at the time of the passing of the law. It was a border town, where people came in from a distance, and bought to a large extent. When the law went into operation, we got a board of selectmen who obeyed the instructions of the town, and we succeeded in shutting up every grog-shop. In ten days every one was closed, and there has not been one open since; nor can it stay there in the public gaze any more than a thief could before his victim.

31. CONSUMPTION OF LIQUOR.—We chose a town agent, and the selectmen furnished him with liquor. The amount bought by the selectmen cost $198, and this has served for the last two years for all mechanical and medicinal purposes whatever; and I think I would be safe in saying that for twenty years prior to the passage of the law, the annual expenditure would not be less than from $8,000 to $10,000. From the peculiar situation of the town, it was noted as a great place for selling liquor, but now we have cleared it all out, and there is not a drop to be had. From observation I can say, that wherever the law has been enforced, such has been the result, and such will be invariably the result of this law, wherever the people take hold of it.

February 20, 1855.*

* From *The Maine Law Illustrated.*

Chapter Six.

On the whole, there is no doubt in my mind but that the Maine Law is worth more to the State every year, in a pecuniary point of view, than its whole shipping interest. It is worth, morally, many constables; it is a handmaid of the Gospel we preach, and in every respect it is to be applauded, not blamed—supported, and not left to neglect. The principle on which it is founded is destined to prevail, because it is truth; and it is gratifying to see States and Territories adopting it, as we know it must universally prevail before the Millennium can come.—REV. DAVID CUSHMAN, of Newcastle, Maine.

LINCOLN COUNTY.

Estimation in which the law is held by the community—Population.—From Rev. S. C. FESSENDEN:—Repeal of the Maine Liquor Law.

BOOTH BAY.—Population—From Rev. Mr. SEELEY:—Bibles in place of dissipation—A better trade than the liquor traffic.

BOWDOINHAM.—Population—From Rev. Mr. TAYLOR:—Crime—Trade—The Sabbath—Public opinion.

LEWISTON FALLS.—Population—From Rev. J. S. BURGESS:—Period of enforcement—Reclaimed from intemperance—The Sabbath—Attendance at church—Public opinion—Reclaimed rumseller—Diminution of drunkenness—Increased morality.

RICHMOND.—Population—From Rev. JOSEPH HAWKS:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Public opinion—Trade—Cost of rum.

ROCKLAND.—Population—From Rev. S. C. FESSENDEN:—The old law and the new contrasted—Crime, pauperism, moral suasion—Health and prosperity—Cases of reclamation—Affecting incidents.

WARREN.—Population—From the late Rev. D. H. MANSFIELD:—A convert to the Maine Liquor Law

1. THE high estimation in which the Maine Liquor Law is held by the community in Lincoln County is the best proof of the good the law has effected therein, as indicated by the following communications.

2. Population 74,875.

From Rev. S. C. FESSENDEN, of Rockland.

3. REPEAL OF THE MAINE LIQUOR LAW.—I am well informed, having sought and obtained reliable information as to the operation of the Maine Liquor Law in most of the towns in Lincoln County, and the estimation in which it is held by the inhabitants of these towns—and I may truthfully say that there can be no doubt but more than two thirds of the men, women, and children of these towns would strenuously resist the repeal of the Maine Liquor Law or any amendment of it, unless the amendment was such as to make it *more stringent* in its provisions.

January 8, 1855.

BOOTH BAY.

4. Population in 1850, 2,504. In 1855, 3,000.

From Rev. Mr. SEELEY, Springfield, Massachusetts.

5. BIBLES IN THE PLACE OF DISSIPATION —I was at Booth Bay a year ago last summer. At certain periods of the year there are immense fleets of mackerel-fishers, come with their boats, sometimes from 300 to 400 at a time. One Sunday morning I was passing by the head of the pier, where about 300 of the mackerel fishermen were seated. Every thing was perfectly quiet as I passed by. Some had out their Bibles, and were reading. As I passed one group, I said, "Had you not better go to church, shipmates?" Some remarks were made, and simultaneously they all rose and accompanied me to the church where I intended to preach that morning. The scene was so very gratifying that I could not help saying to the landlord of the hotel that he must have a curious class of fishermen in that quarter. "Ah!" said he, "if you had been here before the Maine Law passed, you would, on such a day as this, have seen these rocks all along covered with blood. No female dared venture out of the house at such a time." That Sunday, I assure you, was as orderly as any Sunday could be, and there was not a bottle to be seen in the whole company when they left in the evening, but one bottle of vinegar.

6. A BETTER TRADE THAN THE LIQUOR TRAFFIC.—The tavern-keeper, above quoted, continued: "I opposed the law with all my might because I thought it was going to injure my trade; but now I make much more money when these men are on shore than I did by supplying them with liquor. When they go away they take with them whole canoe-loads of eggs and hams, and other necessaries."

February 7, 1855.*

BOWDOINHAM.

7. Population 2,382.

From Rev. Mr. TAYLOR, Universalist.

8. CRIME.—Since the enforcement of the Maine Liquor Law in this place, crime has diminished twenty-five per cent.

9. TRADE.—I think there has been an increase in legitimate home trade, resulting from the Maine Liquor Law.

10. THE SABBATH.—Observance of the Sabbath has increased, and so has the attendance at my church, as a result of the Maine Liquor Law.

11. PUBLIC OPINION.—The Maine Liquor Law is held in such high estimation that the town officers and representatives for the last two years have been elected by our Maine Liquor Law vote.

January 10, 1855.

LEWISTON FALLS.

12. Population in 1850, 3,584. In 1854, 5,000.

* From *The Maine Law Illustrated.*

From Rev. J. S. BURGESS, Free-Will Baptist, Pastor of the oldest church in the Town.

13. PERIOD OF ENFORCEMENT.—For the first two years after the passage of the Maine Liquor Law, in 1851, the law was not very generally enforced. For the last two years it has been more rigidly executed, and it has consequently been far more beneficial.

14. RECLAIMED FROM INTEMPERANCE.—Some, we believe, to be permanently reformed; others prevented from relapsing into intemperance previously reclaimed, while others have been wholly saved from tasting the intoxicating draught.

15. THE SABBATH.—Numbers, heretofore reckless of the Sabbath, now observe it in a very respectful, if not highly commendable manner.

16. ATTENDANCE AT CHURCH.—The attendance at my church has more than doubled, owing partly to an increase in population, and partly to temperance.

17. PUBLIC OPINION.—The general feeling of respectable intelligent citizens is decidedly in favor of the law. Indeed, I know no intelligent respectable person here but earnestly supports the law.

18. RECLAIMED RUMSELLER.—A notorious rumseller, after having paid fines to the amount of a hundred dollars by prosecution, totally abandoned the traffic, ejected from his premises drunken idlers, and has himself become quite an industrious and valuable citizen.

19. DIMINUTION OF DRUNKENNESS.—Where the law is strictly enforced it greatly diminishes drunkenness, poverty, crime, and common vagrancy.

20. INCREASED MORALITY.—The enforcement of the law very much adds to the thrift, respectability, personal happiness, morality, as well as the commendable observance of religious institutions. It is a strong preventive of intemperance and its nameless evils, especially on the part of the young.

February 3, 1855.

NEWCASTLE.

21. Population 2,012.

From Rev. DAVID CUSHMAN, Congregationalist.

22. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

23. PUBLIC HEALTH.—The general health of the community has undoubtedly improved.

24. TRADE.—The legitimate home trade has unquestionably increased.

25. THE SABBATH.—The observance of the Sabbath has increased to a very considerable extent.

26. ATTENDANCE AT CHURCH.—The attendance at my church has increased to some extent.

27. PUBLIC OPINION.—The general feeling of all respectable citizens is decidedly in favor of the law. They have come to look upon it as one of the necessaries of civil life.

28. SALE OF RUM.—A single store in this village, I am told, used to sell as many as thirty barrels of New England rum a year, besides other kinds of spirits, but for the last eleven years there has been none sold, and but little drank here, and that little has been obtained elsewhere, and drank secretly. The ban is upon the business. It has been driven from open daylight to the depths of midnight darkness. God grant it may ever be kept there.

29 RESULTS OF THE NEW MAINE LIQUOR LAW.—Our Legislature has just added some excellent provisions to the original bill; or, rather, they have enacted a new law which has already caused fear and trembling in the camp of the enemy. As an instance, in a village not six miles from where I write, during the last year some few persons had become considerably bold in both selling and drinking, but as soon as they found that the new bill had become a law [which adds imprisonment to a fine], they relinquished the business at once.

April 17, 1855.

RICHMOND.

30. Population 2,056.

From Rev. JOSEPH HAWKS, Methodist.

31. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here since its enactment in 1851.

32. CRIME.—Crime here has diminished at least one third.

33. PUBLIC HEALTH.—The general health of the community as to fevers, insanity, etc., has much improved.

34. RECLAIMED FROM INTEMPERANCE.—Many cases of reclamation from intemperance have come within the circle of my own observation.

35. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

36. TRADE.—There has been an increase in the legitimate home trade of the town.

37. COST OF RUM.—Mr. ———, of this place, being unable to get rum here to gratify his appetite, has been in the habit, during the past summer, of going in the boat to Bath, once or twice a week, and getting a pint and a quart at a time, at an expense of twenty-five cents a trip.

January 8, 1855.

ROCKLAND.

38. Population 5,052.

From Rev. S. C. FESSENDEN, Congregationalist, seventeen years pastor and resident in the city of Rockland.

39. THE OLD LAW AND THE NEW—A CONTRAST.—When this locality was a village of some one thousand inhabitants, and not, as now, a city of more than eight thousand, and when the statute required that the men who

would be licensed to sell intoxicating liquors should be "of *good moral character*," and "give bonds" not to sell "to minors or paupers, or habitual drunkards," and to keep "an orderly shop," I was enrolled a citizen. At that time there were from seventeen to twenty licensed and unlicensed rum-shops within ten minutes' walk from my house. *Now* there are none, with the exception of a very few "holes" in dark places, where rum is illegally sold, of which the stealthy frequenters are so much ashamed that they would not be known to the public as visitors. And the keepers of these holes are with difficulty detected, but when detected there is no difficulty in giving them "Maine Liquor Law justice;" for the general feeling of our respectable citizens, so far as I know, is, that the law *ought to be* and *shall be sustained.*

40. CRIME, PAUPERISM, MORAL SUASION, ETC.—Previous to 1851, the year in which the Maine Liquor Law was passed and approved, drunkenness, pauperism, public Sabbath-profanation, and crime were obviously on the increase in this city, notwithstanding all our "moral suasion" efforts and our occasional use of old law to seal up the fountain of all this evil. But then commenced, and has perseveringly continued, the enforcement of the new law—not as efficiently executed one time as at another, during these three years, but still enforced—and the result has been universally admitted a palpable and material lessening of these evils. The docket of the municipal court, the reports of the condition of our alms-house, the order in our streets, the number of scholars in our schools, the face of things in our Sabbath congregations, show this. I have no hesitation in saying, that to the best of my judgment, from what I know and believe as facts, these evils have diminished as the result of the use and influence of the Maine Liquor Law in the ratio of MORE THAN EIGHTY PER CENT., at least, in this city.

41. HEALTH AND PROSPERITY.—The general health of the community has improved under the beneficent operation of the Maine Liquor Law, and home trade, say our merchants, has unquestionably increased.

42. CASES OF RECLAMATION FROM INTEMPERANCE.—The cases of reclamation from intemperance—reclamations which I have no reason to believe would have been effected without the aid which was derived from the law—which have come within the circle of my observation are many—how many, I can not say.

43. AFFECTING INCIDENTS.—I could relate some incidents illustrating the necessity of the law for the winding up, or rather for the *winding down* and holding down the rumseller, and some affecting incidents touching the assistance to reformation it has rendered the drunkard and the "*moderately* intemperate"—but you can not give me more room.

January 8, 1855.

WARREN.

44. Population 2,428.

From the late Rev. D. H. MANSFIELD, Methodist. Agent to the East Maine Conference Seminary.

45. A CONVERT TO THE MAINE LIQUOR LAW.—A gentleman, the father of a large family, who had been in the habit of using ardent spirits as a medicine, and occasionally of drinking a social glass with his friends, made the following remarks in my presence: "I never joined a temperance society, but I am no friend to intemperance. It has been the cause of untold wrongs and sufferings. I was slow to acknowledge the expediency of the Maine Liquor Law, was inclined to think all legislation on the subject useless, if not baneful, in its influence. But having for three years watched closely the operations of that law, I must confess I think I was mistaken. Beyond all question *its effect has been salutary.* In addition to this it has become difficult to obtain liquor for any purpose, and especially unpopular to use it as a beverage; and although it is hard to break away from an old custom, and although it has done me no personal injury, I am resolved that my example shall no longer hinder the progress of a public good. I am determined henceforth to dispense with the use of ardent spirits, either as a beverage or as a medicine." Will not the Maine Liquor Law prove a blessing to that family? Nay, may it not save some of the sons of that excellent father from ruin?

January 5, 1855.

Chapter Seven.

We love our Maine Law. We would not part with it on any consideration.—REV. DAVID CUSHMAN, of Newcastle, Me.

OXFORD COUNTY.

Numerous cases of reclamation from intemperance—Population.

BETHEL.—Population—From Rev. DAVID GARLAND:—Period of enforcement—Crime—Public health——Reclaimed from intemperance—Industry, frugality, etc.—The Sabbath—Public opinion—Situation of Bethel—Characteristics of the first settlers—Religion and education—Puritanic days preserved—Rum-shops not patronized—A temperance community.

LIVERMORE.—Population—From Rev. LUCIUS BRADFORD:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade—Production—The Sabbath—Attendance at church—Public opinion.

LIVERMORE FALLS.—From Hon. and Rev. G. D. GARLAND:—Period of enforcement—Crime—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—A reformed citizen—Public opinion.

1. FROM the following returns it will be seen that there are

numerous cases of reclamation from intemperance in this county, arising from the fact that the temptation to drink has been removed. We merely give a few as specimens of the facts in relation to this county.

2. Population 39,763.

BETHEL.

3. Population 2,253.

From Rev. DAVID GARLAND, Trinitarian Congregationalist.

4. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

5. CRIME.—The law has had a direct tendency to diminish flagrant crime.

6. PUBLIC HEALTH.—It has exerted a good influence upon the health, peace, and harmony of those who made too free a use of intoxicating liquors.

7. RECLAIMED FROM INTEMPERANCE.—A few individuals have been reclaimed by the timely removal of the dire scourge.

8. INDUSTRY, FRUGALITY, ETC.—The people, as a whole, have become more industrious and frugal, and are more inclined to be constantly engaged in some useful pursuit.

9. THE SABBATH.—The Sabbath is better observed.

10. PUBLIC OPINION.—There is a general feeling that the law is of great advantage to society. That it tends directly to elevate the people in every respect, domestically, socially, intellectually, civilly, and morally. It is to them as a friend of which they would not be deprived; and it is their desire that it may live long and be their protector against the ravages of spirituous liquor, and also the protector of their children when they are dead.

11.—SITUATION OF BETHEL.—Bethel is situated on the Grand Trunk Railroad, about sixty-seven miles from Portland and thirty miles from Mount Washington.

12. CHARACTERISTICS OF THE FIRST PIONEERS.—The first pioneers of this town were resolutely industrious and economical; and having to deal with hard things and stern circumstances, they acquired habits of energy and perseverance which have ever been felt for the good of the community.

13. RELIGION AND EDUCATION.—The first settled minister was much interested in the subject of education, and through his influence the people imbibed the same spirit, which has been transmitted and has proved of great advantage to the intellectual culture of the whole mass. The pioneers had a regard for matters of religion, and acknowledged the importance of sustaining a Christian ministry.

14. PURITANIC DAYS PRESERVED.—This good old system of Puritanic days has been preserved.

15. INDUSTRY, INTELLIGENCE, AND MORALITY.—The characteristic elements of the people have therefore been for years, industry, intelligence, morality, and religion, so that the fact of having been trained in Bethel has

been a good recommendation to young people who have sought places of labor and posts of trust in neighboring towns.

16. RUM-SHOPS NOT PATRONIZED.—Among a people thus educated a rum-shop has found but little favor.

17. A TEMPERANCE COMMUNITY.—The people here were a temperance community previous to the enforcement of the Maine Liquor Law, and a large majority of them would have sanctioned it by their united consent. had it not have had more or less influence on party politics. There was not so much need of it here and in this immediate vicinity as in many other places, and the happy effects of its enforcement can not be as visible as in intemperate communities.

February 3, 1855.

LIVERMORE.

18. Population 1,764.

From Rev. LUCIUS BRADFORD, Baptist.

19. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here about four years.

20. CRIME.—Our acting Justice says crime has diminished fifty per cent.

21. PUBLIC HEALTH.—The general health of the community in relation to fever, insanity, etc., has been improved, according to the testimony of our physician, from six to ten per cent.

22. RECLAIMED FROM INTEMPERANCE.—Some twenty-five cases of reclamation from intemperance have come within the scope of my own observation. There is also a much larger number of persons who now drink but little or none at all, who were addicted to drinking before.

23. TRADE.—There has been an increase in the legitimate home trade of the town.

24. PRODUCTION.—Industry having been increased, the production of the town has been augmented, and is increasing.

25. THE SABBATH.—The observance of the Sabbath has been increased.

26. ATTENDANCE AT CHURCH.—The attendance at my church has been increased ten per cent.

27. PUBLIC OPINION.—All respectable citizens, except a few political leaders and demagogues, are in favor of the Maine Liquor Law.

February 13, 1855.

LIVERMORE FALLS.

28. Population not reported in the Census.

From the Hon. and Rev. G. D. GARLAND, Free-Will Baptist, Member of the Maine Legislature.

29. PERIOD OF ENFORCEMENT.—Three years.

30. CRIME.—There has been, in consequence of the Maine Liquor Law, a diminution of seventy-five per cent. in crime.

31. RECLAIMED FROM INTEMPERANCE.—From twenty to thirty cases of reclamation from intemperance have come within the scope of my own observation.

32. TRADE.—There has been an increase in the legitimate home trade.

33. THE SABBATH.—The observance of the Sabbath has increased. Some persons, whose only observance of the Sabbath was to obtain liquor and drink, and abuse their families, now attend meetings of religious worship; their children are well clothed, and are found at the Sunday-school.

34. ATTENDANCE AT CHURCH.—The attendance at my church has been increased.

35. A REFORMED CITIZEN.—One man, a neighbor, who two years and a half ago was a miserable drunkard, lived in an old dilapidated house; what land he had was mortgaged; he has reformed, paid the mortgage on his land, bought more land for which he pays $300, has built a fine house, gives evidence of having become a Christian, goes himself with his family to meeting on the Sabbath, is a strong advocate of the Maine Liquor Law and all other benevolent enterprises, and is highly respected as a citizen.

36. PUBLIC OPINION.—The general feeling of respectable citizens is, that the Maine Liquor Law should be enforced, that it should be made more stringent—imprisonment for the first offense of the rumseller.

January 25, 1855.

Chapter Eight.

Moderate drinkers sustain the law; such, for instance, as have dissipated relatives; such as employ many laborers; such as do business in neighborhoods where drunkenness has been frequent, but has now diminished; such as have an eye to their pockets, and observe the diminution in pauper rates; and such as notice less criminal practice in our courts.—J. F. GODFREY, Esq., of Bangor.

PENOBSCOT COUNTY.

Good accomplished—Population—From CHARLES H. DE WOLFE, Esq.:—Difficulties in the way of enforcing the law.

BANGOR.—Population—From EDMUND KENT, Esq.:—A marked change—Enforcement of the law—Pub'ic opinion.—From W. H. MCELRATH, Esq.:—Drunkenness decreased—Maine Liquor Law among the lumbermen.

ETNA.—Population—From Rev. JOHN C. FRIEND:—Period of enforcement—Sale of liquor—Public Health—Crime—The Sabbath—Public opinion—The hardest cases improved.

DEXTER.—Population—From Rev. C. M. HERRING:—Period of enforcement—Crime—Attendance at church—Peace of the village.

DIXMONT.—Population—From Rev. EBENEZER ALLEN:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade.

NORTH DIXMONT.—Population—Period of enforcement—Public health—A sober community—Industry—Public opinion.

OLDTOWN.—Population—From CHARLES H. DE WOLFE, Esq.:—Period of enforcement—Reclaimed from intemperance—The Sabbath—Public opinion—The lumbering interest and its effects.—From Rev. J. C. KNOWLTON:—The enforcement of the Maine Liquor Law—Crime—Public health—Trade—The Sabbath—Public opinion—Official dereliction.

1. NOTWITHSTANDING numerous obstacles to the enforcement of the law in Penobscot County, considerable good has already been accomplished there.

2. Population 63,089.

From CHARLES H. DE WOLFE, Esq., Philadelphia, Pa.

3. DIFFICULTIES IN THE WAY OF ENFORCING THE MAINE LIQUOR LAW.—There are numerous difficulties in the way of enforcing the law, a few of which I will mention. The wealth of the State is directly, or nearly so, on the side of liquor; and liquor is on their side—*inside and outside!* When "Honorables," Judges, Esquires, Bank Presidents, and a swarm of "legal" pettifogging human buzzards all drink, get drunk! and have the control inside and outside, around, up and down the court-house, and all its wardrobe and paraphernalia, of course many will *dare* to sell and more dare to drink. I have known indictments which were granted by the Grand Jury of Penobscot County (the evidence for which was procured by great cost and long vigilance—the Maine Liquor Law makes rumsellers "old foxes") gotten rid of by the influence of county attorney and judge, without paying any thing to the treasury, when $100 is the penalty under such cases! and none but the "*legal*" party know how much it cost the indicted rumseller to "rub out his scot" in "treats" for their generous treatment. Verily, as SHAKESPEARE says, "A fellow-feeling makes one wondrous kind." But in the case above referred to I am reminded of an anecdote of a judge which might have been familiar with the legal gentleman in this case; if so, I can not so much blame them after all, as the principle smacks more of justice and honor than generally characterizes rum-judges, county attorneys, or the knights of the "green bag" of BLACKSTONE. But to the anecdote. "Bill," "Joe," and "Sam" were indicted for common drunkenness, and were brought before his Honor, Judge H——, a portly and venerable judge of the police court of H——, in the State of Ohio, who, by the way, was a Dutchman. The prisoners were arraigned to answer the indictment. "Guilty or not guilty." "Guilty, yer honor," was the response from all. His Honor then addressed "Bill" as follows: "Vell, Bill, vat you gets drunk on?" "On rum, your Honor." "Vell, den, I fines you *ten dollar*." "Joe, vat you gets drunk on?" "On brandy, your Honor." "Vell, den, I fine *you ten dollar*." "Vell, Sam, whats you gets drunk on?" "I get drunk on wine, your Honor." "Vell, den, I fines you just notting at all, for I gets drunk on dat myself."

February 7, 1855.

BANGOR.

4. Population 14,432.

From EDMUND KENT, Esq., Counselor at Law, Governor of the State of Maine in 1838 to 1841, and United States Consul to Rio Janeiro.

5. A MARKED CHANGE.—Before I went to South America I had witnessed the evils of intemperance in Bangor, where I reside. I know a very marked change upon the place.

6. ENFORCEMENT OF THE LAW.—The law seems to be enforced there with a good deal of determination. There are no open places for the sale of liquor, although it can, undoubtedly, be obtained.

7 PUBLIC OPINION.—I do think that a large proportion of the people of Bangor are favorable to the law. Even those not strictly temperance men are favorable to its enforcement, and the feeling is gradually increasing. I am satisfied that if the authorities desire to enforce the law, public sentiment will sustain them in it.

February 21, 1855.*

From W. H. MCELRATH, Esq.

8. DRUNKENNESS DECREASED.—There have been a number of violations of the law in Bangor; but drunkenness has decreased very much, and nearly all whose opinion is worth asking, have become convinced that the law has proved a great blessing to Bangor, and that it only requires to be made a little more stringent in some of its provisions, to banish drinking and drunkenness entirely from the State.

9. MAINE LIQUOR LAW AMONG THE LUMBERMEN.—The firm to which I belong employed 700 men in the lumbering business last winter. We supplied no liquor to the camp, nor was any used by the men, and both employers and employed were delighted with the workings of the law. The men worked better without it, and the winter passes away much more pleasantly and cheerfully. Last winter there were on the Aroostook River a large number of men waiting to be engaged for the season, and the quiet way in which they conducted themselves was a general subject of remark. It was, indeed, gratifying to see scores of our hardy lumbermen, who formerly were in the habit of drinking very freely, spending their leisure days —which with all that class are days of temptation—soberly and orderly.

February 21, 1855.†

ETNA.

10. Population 802.

From Mr. JOHN C. FRIEND, Mechanic, Baptist.

11. PERIOD OF ENFORCEMENT.—Since June 2d, 1851. It is enforced as far as cases become known.

12. SALE OF LIQUOR.—A very little liquor is sold, and that very slyly.

* From *The Maine Law Illustrated.* † *Ibid.*

13. PUBLIC HEALTH.—The general health of the community in relation to fever, etc., has improved.

14. CRIME.—Crime has diminished three fourths.

15. THE SABBATH.—The observance of the Sabbath has increased.

16. PUBLIC OPINION.—All good citizens are in favor of the law. Many who were at first opposed are now favorable toward it.

17. "HARDEST CASES IMPROVED."—Some who were the hardest cases of rum-drinkers now vote in favor of the law, and have nearly all abandoned the use of liquor. They now maintain their families in comfort, while before they kept them on a very small allowance.

February 28, 1855.

DEXTER.

18. Population 1,948.

From Rev. C. M. HEERING, Baptist.

19. PERIOD OF ENFORCEMENT.—About three years and six months.

20. CRIME.—We have had no cases of crime since that period, to my recollection. Several cases occurred previously.

21. ATTENDANCE AT CHURCH.—My congregation has been increased within that period, from several causes, about one fourth.

22. PEACE OF THE VILLAGE.—Four or five years ago we were almost constantly meeting in this place the signs of hard drinking. There were one or two dirty holes where the liquor was continually sold, and the sad effects thereof were seen on every hand. But now these signs of selling liquor and of drinking have almost entirely disappeared.

February 13, 1855.

DIXMONT.

23. Population 1,605.

From Rev. EBENEZER ALLEN, Free-Will Baptist. Care of two churches; also partially engaged in agriculture.

24. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

25. CRIME.—Although this has long been regarded as a temperance town, and has been without much crime, what there was has diminished some.

26. PUBLIC HEALTH.—There are not, I think, more than one fourth as many cases of fever and insanity as before.

27. RECLAIMED FROM INTEMPERANCE.—I think as many as thirty cases of reclamation from intemperance have come within the scope of my observation as a result of the Maine Liquor Law.

28. TRADE.—I think there has been an increase in the legitimate home trade.

February 13, 1855.

NORTH DIXMONT.

29. Population 1,605.

From Rev. WALTER RANDOLPH, Free-Will Baptist.

30. PERIOD OF ENFORCEMENT.—Since June 2d, 1851.

31. PUBLIC HEALTH.—The general health of the community has been very good ever since.

32. A SOBER COMMUNITY.—This is a sober community.

33. INDUSTRY.—Industry prevails here.

34. PUBLIC OPINION.—A large majority of respectable citizens are in favor of the Maine Liquor Law.

February 15, 1855.

OLDTOWN

35. Population in 1850, 3,087. In 1854, 4,000.

From C. H. DE WOLFE, Esq., of Philadelphia, Pa.

36. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been enforced at Oldtown, occasionally only, since its enactment, June 2d, 1851.

37. RECLAIMED FROM INTEMPERANCE.—There are a goodly number who were saved by the Washingtonian and Sons of Temperance movement, before the enactment of the Maine Liquor Law, but as the law has not been efficiently enforced I can not report more of such cases.

38. TRADE.—There has been an increase in the legitimate home trade of, I presume, twenty-five per cent. since 1851, a part of which may be the result of the law and a part to the growing population and other causes.

39. THE SABBATH.—To a *transient* observer Oldtown pays but little regard to the Sabbath, but in *reality* her permanent citizens are a church-going people, and this habit has been somewhat stimulated by the healthful influences of the Maine Liquor Law. The population is always *fluctuating* in this town, owing to the extensive lumber interests at and within short distances of its vicinity. Lumbermen think the mottoes, "The early bird catches the worm," and "Make hay when the sun shines," and "Sack the river, run rafts, and saw lumber when the water is a good pitch," are of more consequence than observing the Sabbath, so they keep to work and serve God by proxy, paying their *seven different clergymen* very liberally for praying for them.

40. PUBLIC OPINION.—There is but one opinion among moral, staunch, good citizens of Oldtown, in relation to the effects of the Maine Liquor Law, when it is faithfully and promptly enforced, and that is, that it is one of the most righteous enactments there is on the statute book, and will annihilate the common liquor traffic.

41. THE LUMBERING INTEREST AND ITS EFFECTS.—I can say safely, during a residence of thirteen years in this place, that no town in the State, all things being understood, has worked harder, made more sacrifices, and succeeded better in temperance matters than she. Many true CALEBS and JOSHUAS, EPHRAIMS, CULTERS, NOHAMS, DAVIDS, HIRAMS, JOHNS, JAMESES, etc., will go down to posterity with grateful remembrance as among

the benefactors of their race. The *lumber* interest employs many of the "bone and muscle" (undeveloped morally and intellectually) of society, who are kept in the forest and on the river half the year in a semi-savage state, away from the restraining and refining influences of good society. They are wild men, and like certain animals (upon which they feed, by the way), are fond of *swill*, and "*will root if not rung*." This kind of society has its *demands*, and there are always enough to meet them with the supply; hence Oldtown, like Bangor, and Penobscot County generally, has had a heavier load to carry than other parts of the State.

From Rev. J. C. KNOWLTON, Universalist.

42. THE ENFORCEMENT OF THE MAINE LIQUOR LAW.—The Maine Liquor Law has not been properly enforced in this town.

43. CRIME.—There is a diminution of crime of fifty per cent. wherever the law is enforced.

44. PUBLIC HEALTH.—I think that health has improved much.

45. TRADE.—There has been an increase in legitimate home trade.

46. THE SABBATH.—The observance of the Sabbath has greatly increased.

47. PUBLIC OPINION.—All respectable citizens like it, but wish for a more stringent law.

48. OFFICIAL DERELICTION.—I have seen flunkies afraid to do their duty in the enforcement of this law.

February 7, 1855.

Chapter Nine.

One peculiarity of the law was, that no sooner was it passed and put in force than it began to raise up friends to itself. Many who stood aloof, some opposers, and even friends of temperance, who feared and trembled when the law was first enacted, as soon as they came to see its workings and witness its admirable results, became its immediate and fast friends; and the law has continued to gain friends ever since, just about in proportion to the degree of its execution. Our rural regions are generally temperate; our cities and villages scarcely less so.—REV. DAVID CUSHMAN, of Newcastle, Me.

SOMERSET COUNTY.

The efficiency of the Maine Liquor Law exemplified—Population.

BRIGHTON.—Population—From Rev. CYPRIAN S. PRATT:—Crime—Public health—Reclaimed from intemperance—Trade—The Sabbath—Sold clandestinely—Seizure of liquor—The change—Tranquillity of the town—Public opinion—No liquor sold—Secret drinking.

PALMYRA.—Population—From Rev. JOSEPH P. ROBERTS:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Trade—Enforcement of the Maine Liquor Law—The Sabbath—Attendance at church—Public sympathy—Economy of the Maine Liquor Law—Maine Liquor Law fees—Loss of time at groggeries—The elections—Our expectation and our encouragement.

1. THE efficiency of the Maine Liquor Law for the prevention of intemperance and its attendant evils is completely exemplified in the county of Somerset, as will be seen by the following specimens of the returns from this county.

2. Population 35,581.

BRIGHTON.

3. Population 748.

From Rev. CYPRIAN S. PRATT, Free-Will Baptist.

4. PERIOD OF ENFORCEMENT.—The Maine Liquor Law was not strictly enforced here until August, 1854.

5. CRIME.—Crime has diminished ten per cent.

6. PUBLIC HEALTH.—The general health of the community has increased about twenty-five per cent.

7. RECLAIMED FROM INTEMPERANCE.—I know of some six or eight young men who are completely reclaimed by the operation of this law.

8. TRADE.—There has been an increase, in some degree, in the legitimate home trade of this village.

9. THE SABBATH.—The observance of the Sabbath has most assuredly increased.

10. SOLD CLANDESTINELY.—Until August last the law was evaded by clandestine sales.

11. SEIZURE OF LIQUOR.—A seizure of some eighty or ninety gallons of spirits was made upon a Mr. COBB of this village, a noted rumseller, and he was made to pay a fine of twenty dollars and costs. He gave bonds to the town to sell no more liquor.

12. THE CHANGE.—Since the above seizure was made, the town has become an entirely different place.

13. TRANQUILLITY OF THE TOWN.—There is now "peace throughout our borders;" but before the law was properly enforced, drunkenness and disorder prevailed on Saturday evenings, and, indeed, throughout the Sabbath.

14. PUBLIC OPINION.—As a general thing, it can truly be said that this is a popular law. I am satisfied that the largest majority of this town would be opposed to a repeal of the Maine Liquor Law.

15. NO LIQUOR SOLD.—The law is now completely enforced, and no liquor is now sold except as prescribed by the law.

16. SECRET DRINKING.—Before the law was so strictly enforced, there was a couple living in this town who used to keep liquor for sale. In order to hide it from the vigilance of the authorities, it was placed under the bed where they slept. During the night, when the husband was asleep, the wife would creep under the bed and fill herself with the liquor, and was found in the morning by her husband in a state of beastly intoxication. This is all done away with now.

February 17, 1855.

PALMYRA.

17. Population 1,625.

From Rev. JOSEPH P. ROBERTS, Baptist.

18. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here since 1851.

19. CRIME.—There has been a diminution in crime of fifty per cent.

20. PUBLIC HEALTH.—Health always improves as the too frequent use of rum or other spirituous liquors is avoided. I have heard of no cases of fever, insanity, etc., since the Maine Liquor Law came into operation.

21. RECLAIMED FROM INTEMPERANCE.—Multitudes of cases of reclamation from intemperance have come within the scope of my observation. I know some young men who were taking rapid steps to the drunkard's grave who are now happy; also fathers reclaimed, to the joy of their wives, and comfort and support of their children.

22. TRADE.—Business brightens, and trade increases wherever a town is blessed with moral enactments. The Maine Liquor Law in this town has greatly increased our prosperity.

23. ENFORCEMENT OF THE MAINE LIQUOR LAW.—All the town officers being temperance men, the law is enforced and duly observed in every particular.

24. THE SABBATH.—The observance of the Sabbath has increased about fifty per cent.

25. ATTENDANCE AT CHURCH.—The attendance at my church has been increased about one fourth.

26. PUBLIC SYMPATHY.—There is sympathy on the part of all respectable citizens in favor of the Maine Liquor Law, and they are satisfied that it is just the thing required.

27. ECONOMY OF THE MAINE LIQUOR LAW.—It was stated that in our town the sale of intoxicating liquor could not be restricted by law and confined to the agent. We, however, applied the Maine Liquor Law to two rumsellers, one of whom was to all intents notorious. We found the application most salutary. They both paid their costs, and the traffic ceased. No rum has since been sold by them. In these cases the cost to them could not exceed ten dollars, whereas the cost of rum-shops to the town and to individuals would be more than two hundred dollars for the year.

28. MAINE LIQUOR LAW FEES.—It has been argued that the Maine Liquor Law gave pettifoggers or petty lawyers a chance to fill their pockets. In these cases of prosecution the fee of the lawyer was two dollars; that of the justice fifty cents. Now balance that two dollars and fifty cents with the lost time, the losses by fire, and property destroyed through the influence of the rum-shops and the rumseller—to say nothing of the immorality caused—and we shall see who has the ground of argument in the case.

The one is small, the other almost immeasurable. One counts cents, the other dollars. One counts time, the other eternity!

29. LOSS OF TIME AT GROGGERIES.—Take into account the time spent at the grog-shop in days and half days. Perhaps twenty men in this village would lose half a day each on a Saturday. This is a low computation. If their time be worth only one dollar a day, here is ten dollars a week squandered. This five hundred and twenty dollars a year is thus taken from the industry of the village and sunk. It benefits nobody. While there, the men will doubtless spend as much money as their time is worth in liquor. In this way, by the enactment of the Maine Liquor Law, twenty poor families have had added to their incomes the sum of $1,040, which is undoubtedly spent in useful merchandise, to the benefit of both the retailer and consumer. This, however, is only a small portion of the benefits of the Maine Liquor Law in this place.

30. THE ELECTIONS.—That all our respectable citizens are decidedly in favor of the Maine Liquor Law is evident from our elections. It was on this question that our last election turned. The Maine Liquor Law voters went for a man for Governor, who, if elected, would by his administration carry out the active principles of the Maine Liquor Law. The "honorable rum party"—as they pleased to call themselves—went for a man who would, if elected, cause the Maine Liquor Law to become a dead letter. But an all-wise Providence, through the energetic influence of the true sons of temperance, had decided otherwise, and there has been a mighty victory achieved.

31. OUR EXPECTATION AND OUR ENCOURAGEMENT.—We expect to go on "from conquering to conquer," till the whole world shall be blessed with such a glorious law. In contributing my mite to the book you propose, I am happy to find men in our national council leading such a commendable enterprise.

February 7, 1855.

Chapter Ten.

If those who are interested think the law will be inoperative, all we ask is, Give us the law. If you think it will not do any thing, why do you cry? If you think it will, we think so too.—REV. HENRY WARD BEECHER.

WALDO COUNTY.

The law of great service to the whole community—Population.

MONROE.—Population—From Rev. MELZAR DUNBAR:—Crime—Public health—Reclaimed from drinking—Attendance at church—Public opinion—Sale of liquor restricted.

SEARSMONT.—Population—From Rev. THOMAS CHIPMAN:—Period of enforcement—Public health—The Sabbath—Attendance at church.

SEARSPORT.—Population—From Rev. STEPHEN THURSTON:—Period of enforcement—Protection to the young—Public opinion—The Maine Liquor Law gives power to the friends of temperance—Application of the law—Clandestine sale of liquor—Communication with Boston—Art and cunning of the adversaries.

1. THE effects of the Maine Liquor Law in Waldo County are of an encouraging character, as will be seen by the following specimens of the returns from this county. The power of the law is evidently being used by the friends of temperance and good order with great advantage to the whole community .

2. Population 47,230.

MONROE.

3. Population 1,606.

From Rev. MELZAR DUNBAR, Baptist.

4. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here since March, 1852.

5. CRIME.—No crime worthy of note has been committed in this town since 1852.

6. PUBLIC HEALTH.—The general health of the community has in some degree improved.

7. RECLAIMED FROM DRINKING.—I should say there are at least fifty persons who drank more or less before the law was enacted, who have become total abstainers in consequence of the Maine Liquor Law.

8. ATTENDANCE AT CHURCH.—The attendance at my church has increased more than fifty per cent.

9. PUBLIC OPINION.—All respectable citizens are in favor of the law.

10. SALE OF LIQUOR RESTRICTED.—Since the Maine Liquor Law went into operation here not one person has been intoxicated by liquors obtained in this town. The law has accomplished thus much in restricting the sale, if it has not entirely prohibited it.

11. MAINE LIQUOR LAW A BLESSING.—The Maine Liquor Law works well. To bless a town, a State, or a nation, it only requires that the Maine Liquor Law be placed upon the statute book, and *sustained by the people.* I could enumerate a thousand blessings it would procure—blessings unthought of by a people unacquainted with its benign effects. It blesses all, it curses none!

January 3, 1855.

SEARSMONT.

12. Population 1,693.

From Rev. THOMAS CHIPMAN, Calvinistic Baptist.

13. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here two years.

14. PUBLIC HEALTH.—There is less sickness in the community than formerly.

15. THE SABBATH.—The observance of the Sabbath has increased as a result of the Maine Liquor Law.

16. ATTENDANCE AT CHURCH.—My congregation has been increased from the same cause.

January 3, 1855.

SEARSPORT.

17. Population 2,208.

From Rev. STEPHEN THURSTON, Congregationalist, twenty-nine years pastor in Searsport.

18. PERIOD OF ENFORCEMENT.—The Maine Liquor Law has been in operation here since its approval in 1851.

19. PROTECTION TO THE YOUNG.—Probably many have been withheld from forming a drunkard's appetite. Still we are by no means free from intemperance.

20. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law. They would not dispense with it on any account.

21. THE MAINE LIQUOR LAW GIVES POWER TO THE FRIENDS OF TEMPERANCE.—The temperance reform has been a great blessing to this place. The law gives us power to suppress the open traffic. We have applied it several times with great effect.

22. APPLICATION OF THE LAW.—Last week we searched two places, found spirits, and fined the keepers.

23. CLANDESTINE SALE OF LIQUORS.—If any be kept in town, it is kept so clandestinely that the evidence is not yet obtained.

24. COMMUNICATION WITH BOSTON.—Our communication with Boston is so easy and frequent, that it is as yet impossible to exclude spirits wholly from the place.

25. ART AND CUNNING OF THE ADVERSARIES.—Much art and cunning are practiced in introducing liquor clandestinely.

January 7, 1855.

Chapter Eleven.

I would as soon think of reading the Ten Commandments to a block of granite as of using moral suasion to a rumseller.—REV. HENRY WARD BEECHER.

WASHINGTON COUNTY.

The results of the Maine Liquor Law observable among travelers—Population.
CALAIS.—Population—From Hon. NOAH SMITH, Jun.:—All sale of liquor abolished—Seizures of liquor.
BARING.—Population—From Rev. ASA H. GOULD:—Period of enforcement—Public opinion—Dram-shops closed—Liquor otherwise obtained.
MACHIAS.—From Rev. J. W. TURNER:—Sale of liquor.

1. THE success of the Maine Liquor Law in Washington County, although not so great as in some others, is nevertheless sufficient to make the improvement effected a matter of remark among travelers [Sec. 12], and, considering the difficulties arising from its proximity to New Brunswick, where the law is not yet fully enforced, much good has been effected.

2. Population 38,811.

CALAIS.

3. Population 4,749.

From Hon. NOAH SMITH, Jun., in Executive Council.

4. ALL SALE OF LIQUOR ABOLISHED.—The sale of liquors in Calais is entirely abolished; there is no place where it can be had openly. I know of none where we even suspect it can be had covertly. Liquors were sold to a large amount before the passage of the law.

5. SEIZURES OF LIQUOR.—One of the largest seizures of liquor ever made in Maine was made in Calais some time in 1851, when fifty barrels of liquor were seized and destroyed, and no hostile feeling was manifested.

February 21, 1855.*

BARING.

6. Population 380.

From Rev. ASA H. GOULD, Baptist.

7. PERIOD OF ENFORCEMENT.—The law has been in operation here since 1851.

8. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

* From *The Maine Law Illustrated.*

9. DRAM-SHOPS CLOSED.—Two or three establishments, the only ones in this town where liquor was sold, have been closed.

10. LIQUOR OTHERWISE OBTAINED.—The Maine Liquor Law has not exerted its legitimate influence here, because any one by a few minutes' walk can cross the St. Croix River, and in the Province of New Brunswick obtain liquor abundantly.

January 24, 1855.

MACHIAS.

11. Population 1,590.

From Rev. J. W. TUENER, of Portland, District Secretary of the American Tract Society.

12. SALE OF LIQUOR.—A few weeks since, while traveling in the cars, I met with a gentleman from Boston. Our conversation turned upon the present state of the temperance cause. In the course of the interview he remarked, with a good deal of emphasis: "I *know* there is nothing like as much selling and drinking in the State of Maine as formerly." He once resided in Machias. A great change had been effected there. At the village of C——, a few miles west of Machias, some years ago, there was a small country store. The merchant would go to Boston once in three or four months, and among other things would purchase and bring home one barrel of sugar, two hogsheads of molasses, and *three* hogsheads of rum. The sugar and molasses would last through the quarter, but in a single month, sometimes less, the rum would be gone, and the retailer would have to purchase another cargo. Now no intoxicating liquor could be bought there.

April 3, 1854.

Chapter Twelve.

All the newspapers in the State, with two exceptions, sustain the Maine Liquor Law.—JOSHUA NYE, Jun., Waterville, Me.

YORK COUNTY.

Satisfactory results—Population.

BIDDEFORD.—Population—From Hon. LEONARD ANDREWS:—Enforcement of the law—Working of the law—Public opinion.

The counties of AROOSTOOK and PISCATAQUIS.—Improvement in the Maine Liquor Law, and its probable results—Results of prohibition great for the time and circumstances—Necessity for neighboring States and Provinces to adopt the Maine Liquor Law to give it a fair chance in Maine.

1. As far as the law has been properly enforced in York County, its results have been highly satisfactory.

2. Population 75,571.

BIDDEFORD.

3. Population in 1850, 6,905 ; in 1855, 8,000.

From Hon. LEONARD ANDREWS, Representative of Biddeford.

4. ENFORCEMENT OF THE LAW.—The law has not been so strictly enforced in our town, in consequence of some little difference in feeling among the town officers. We commenced soon after the passing of the law to enforce it, and in a very short time we closed up every grop-shop in the place. There have been no open shops since. It is, however, to be had in some low places kept by emigrants.

5. WORKING OF THE LAW.—So far as my own knowledge goes, the law has worked to a charm in Biddeford. When the population was not more than 2,000, I have seen as many as thirty places for the open sale of rum. Drunkenness was very prevalent. But now the scene is changed. From my connection with the city affairs previous to the passing of the law, I had a good opportunity of witnessing the crime and drunkenness that existed, and can now speak of the very great change which was speedily effected. We love the law in Biddeford.

6. PUBLIC OPINION.—Ever since the law was enacted, the feeling of respectable citizens has been increasing in its favor, and no combination of political parties could defeat it if a popular vote were taken on the question.

February 19, 1855.*

7. The counties of Aroostook and Piscataquis have not at present sent us any replies to our inquiries—the only two counties in Maine from which we have no intelligence. We presume, however, from the general character of the returns from neighboring counties that the law is in active and efficient operation there.

8. We have now given as much in detail as our limits will allow, the results of the Maine Liquor Law in its own State. The improvements recently made in the law will, doubtless, increase its efficiency, and promote, in a still greater degree, the temperance, peace, and prosperity of this most interesting of the American States.

9. When it is remembered how short has been the time during which this experiment has been made [not yet four years], and how strong, in a pecuniary sense, are the opponents of this reform, these results are great indeed. But they are the results

* From *The Maine Law Illustrated.*

of the commencement only of a work which, if persevered in, will be a greater blessing to Maine than all the other works of public improvement put together.

10. It is, of course, impossible for one State, surrounded by several others where the Maine Liquor Law is not in operation, to avoid those evasions of the law which unprincipled men are continually resorting to where the means are at hand. But when the British Provinces and New Hampshire shall have done their duty in this respect, the laws of Massachusetts being now improved so as to avoid the unfavorable decisions of the courts, and New York State shall have added the weight of her influence by an effectual enforcement of her prohibitory law just enacted, Maine will have a fair chance to make herself free from the vices of liquor selling, buying and drinking, and all their train of evils, which are already, to a very great extent, removed from the State.

May 2, 1855.

RESULTS

OF

PROHIBITION IN MASSACHUSETTS.

Chapter One.

The temperance reformation has increased the physical strength of the State of Massachusetts one sixth. —Dr. Warren.

STATEMENTS RELATING TO THE STATE.

Partial prohibition fails in accomplishing its object—Population—The passage of a prohibitory law—Its nullification by the Supreme Court—Superseded by a new law.

Statements of the Governor:—The evils of intemperance a legitimate subject of legislation—Decision of the Supreme Court—Perfection of the Massachusetts Liquor Law—Passage of a new prohibitory law.

Statements of Rev. T. N. Higginson:—The law most popular where most efficiently enforced—The law best enforced farthest from Boston—The law best enforced where there has been most energy among temperance men—In spite of all drawbacks, the law has suppressed the open sale of liquor through a large portion of the State.

Statement of Rev. Isaac Hosford, of Lowell:—Drunkenness obliterated in country towns.

Statement of Rev. J. T. Woodbury, of Milford:—The retail trade.

Lucretia Mott.

1. The cause of prohibition has long agitated the State of Massachusetts. Various experiments have been tried in legislation, such as restricting the sale of intoxicating liquor to large quantities or to a wholesale trade, so as to prevent the dram-drinking which was doing so much to destroy the character of the inhabitants as well as the lives of the talented and ingenious men and women of this highly gifted State. But all these attempts at partial prohibition failed to remove the traffic. There were some parts of the State, however, as will be seen, where the temperance feeling has long prevailed to the extent of refusing licenses; and these parts, particularly Martha's Vineyard island, have long enjoyed the blessings of prohibition.

2. Population 994,514.

3. In 1852 a bill, similar to that of Maine, passed the Leg-

islature and became law. It was being gradually enforced throughout the State until 1854, when the Supreme Court of the State being appealed to in several cases, pronounced some clauses of the law unconstitutional. This defect, it is believed, has been remedied in the law approved April 20, 1855.

STATEMENTS OF THE GOVERNOR.

4. His Excellency Governor GARDNER, in his address to the Legislature of Massachusetts, January 9th, 1855, thus alludes to the question of legal restriction in relation to intemperance :

5. THE EVILS OF INTEMPERANCE A LEGITIMATE SUBJECT FOR LEGISLATION.—The question of temperance will naturally receive your deliberate consideration. The evils of intemperance force themselves on the attention of every statesman. They appear at the bar of our courts; they cry aloud from our prisons, jails, and hospitals, and the wailings of our lunatic asylums are their voices. They drain our treasury, and swell the long catalogue of pauperism and suffering. They are universally recognized as a legitimate object for legislation. They claim the deep attention of the lawgiver as well as of the philanthropist.

6. DECISION OF THE SUPREME COURT.—Our Supreme Court, a tribunal that has the just confidence of all, having pronounced unconstitutional some provisions of the present anti-liquor law, such sections should not longer remain on our statute-book. Every citizen of the State probably concurs in the wish that they be either repealed or amended.

7. PERFECTION OF THE MASSACHUSETTS LIQUOR LAW.—Coming, as you do, fresh from the people, your deliberate conclusions will doubtless be a fair criterion of their wishes. Whatever measures you may perfect to prevent intemperance and check pauperism and crime, and which are deemed constitutional by myself and the officer whom the laws of the Commonwealth have provided as my legal adviser, shall receive my unhesitating sanction.

8. No better proof of the thorough prohibitory character of the Legislature and Executive of this Commonwealth can be furnished than the fact that they have recently enacted a law far more stringent in its provisions than the former, and which is to take effect on the 1st of May, 1855. This fact shows that there is a strong majority in the State who are in favor of complete prohibition. It was stated by the Boston *Telegraph* that twenty or thirty of the thirty-nine senators, and two thirds of the representatives are on the side of prohibition, and that every depart-

ment of the government was pledged to prohibition. Great activity on the part of the friends of prohibition must have produced this happy result. The traffic in the cities, as well as the country towns, is now doomed to its deserved annihilation.

STATEMENTS OF REV. T. N. HIGGINSON.

9. THE LAW MOST POPULAR WHERE MOST EFFICIENTLY ENFORCED.—The one foundation of the law is its supposed usefulness to the community. This alone has induced the labor and the sacrifice which it has called forth. But the law is a mere machine—an admirable machine, but a machine still. It can not execute itself; and where its friends are remiss, or its foes overpoweringly strong, it can not do its work. The expected results do not follow, and hence the law appears ineffectual, and becomes unpopular. So in a certain city of Europe the first fire-engines were surrounded by a mob who endeavored to prevent them from playing; the fires were not immediately extinguished, and hence the machines were considered a failure. It is not to be supposed that any machine, legal or mechanical, can be popular without succeeding, or can succeed without a fair trial. Accounts of the defeat or non-enforcement of the law are sometimes accompanied by complaints that its popularity seems stationary or waning, while accounts of its successful enforcement are uniformly accompanied by assurances of its increasing popularity. Towns like Lowell and Springfield, where the law has been enforced with energy, stand more favorably to it than at the time of its passage; while it has lost favor only in places like Boston, Charlestown, Newburyport, and Roxbury, where the public and private influences have combined to prevent a fair experiment from being tried. This has not been universally the case, for citizens of these last towns, and such as these, have still had opportunity to observe the operation of the law in *other places;* but it is the general rule. "Every successful enforcement of the law has given it public favor," is a phrase used by more than one correspondent. "Many," say others, "who did not desire its passage, are earnestly desirous of its continuance." Some, on the other hand, echo the opinion of the city missionary of Roxbury: "The law has not here gained in favor, owing wholly to the fact that it has not been executed."

10. THE LAW BEST ENFORCED FARTHEST FROM BOSTON.—The influence of the present determined inaction of the Boston city government, and of their past indirect nullification of the law by a system of licenses whose legal validity is yet questionable, has been widely felt through a large part of the State. It has lent the authority of a great city to a system of bold evasion, and done much to relax the consciences of public officers generally. It is impossible to foresee what other dangerous abuses may hereafter shelter themselves under this precedent, which gives the rights and liberties of all citizens into the hands of their local governments. But this evil is

trifling, compared with a greater one. The spread of Boston example is not so bad as the spread of Boston rum. Intoxicating liquids, like all other liquids, have a tendency to *find their own level;* and from the great fountain of sin in Boston every railroad forms a conduit, by which the contraband article finds its level in many a country hovel, parlor, or bar-room. Were not the fact already so notorious, the committee could give a startling array of statements to confirm it. From the whole eastern portion of the State—from Sandwich on the southeast, to Winchendon and Milford on the west, has come up to us one cry of indignation at the direful results of the transmission of liquors by express from Boston. With the line of Worcester County this influence stops; and hence in the four western counties the operation of the law has been most efficient and most popular. Liquor reaches those counties in less quantity from Connecticut and New York (as it also reaches Middlesex from New Hampshire), but not from Boston. This deluge of corruption mars the results of the law in more ways than are at first apparent. It mars the real operation, and the apparent results. It mars the apparent results, because it sends to the police court and the jail its own victims, and then blames the law for not saving them. And it interferes with the real operation, because it *discourages* town governments, police officers, and good men generally, by presenting them with an evil which they can not reach, and which, while untouched, seems to make all their other efforts useless. "We could take care of our own city very easily," say Fitchburg, Lynn, New Bedford, "but we can not undertake to exhibit the full results of the law so long as Boston nullifies." It is a significant circumstance that, by a recent statement in the Common Council of Boston, an unusually large proportion of the intemperance lately visible in the streets of the city has been in the case of visitors from the country. It seems plain that these persons have been driven thither by the operation of the law in their respective towns, and also that this circumstance must greatly mar the good results of such operation.

11. THE LAW BEST ENFORCED WHERE THERE HAS BEEN MOST ENERGY AMONG TEMPERANCE MEN.—It would seem that the public officers of every town would feel bound to enforce every statute of the Commonwealth, or else to resign their places to others; but with a law which enlists against it the basest passions of man, this may not be always the case. Public officers, we regret to say, are not always regenerated by being put into office. Even if disposed to act, they often look to the courage and energy of a few persons outside to sustain them in their duty. It is one of the merits of this law that a few resolute men, sustained by the moral sentiment of the better part of the community, can in most places insure its execution. If those men happen to be in office (as at Lowell and elsewhere), it is so much the better. But experience has already proved that where this is not the case, it costs less trouble for energetic men to do the work themselves than to urge an unwilling or timid board of officers to do it. A town government,

especially, is not apt by its nature to be a strong government. We caution the friends of good order, therefore, against relying exclusively upon such an one. If they can secure a body of selectmen or policemen who will act as a vigilance committee, very well; if not, let them form themselves into a vigilance committee to sustain the public authorities, if desired; or if not, to do the work in their own way, provided they can find a single reliable justice and constable. We are acquainted with one town in Worcester County where a committee of twelve citizens has held weekly meetings ever since the law took effect. They have made, or caused to be made, five seizures, of which four have been successful, and the fifth is still pending; and the trade in intoxicating drinks may, for the first time, be considered as suppressed in that town. We commend that example to the friends of temperance generally, believing that the law will be best enforced where private energy is greatest, and that it will be most popular where it is best enforced. It will of course be understood that every effort must, nevertheless, be made in all cases, to induce the public authorities to do the duty which plainly devolves upon them. The law must be recognized as standing in precisely the same position with all other laws, and to be enforced by the same methods.

12. IN SPITE OF ALL DRAWBACKS, THE LAW HAS SUPPRESSED THE OPEN SALE OF LIQUOR THROUGH A LARGE PORTION OF THE STATE.—The accounts which have reached us from all portions of the Commonwealth go to indicate this fact, an immense diminution in the *open* liquor traffic. They believe this form of traffic to have ceased in nine tenths of the towns in the State. The unlawful trade has been in some cases—in many cases—annihilated; in many cases it has been only driven into secret retreats. But what a blessing is even this! How many does it save from the beginnings of vice, which is most attractive only when it becomes reputable. No law can annihilate sin, but only diminish it by making it disgraceful. Law has not suppressed licentiousness or gambling; it has not even suppressed theft and murder; it has only diminished them by making them more difficult and disgraceful; yet what legislator would repeal such laws as these? The friends of the Temperance Law only claim that it is doing its work as rapidly and thoroughly as can reasonably be demanded of any law which has a moral purpose in view; and it is only more important than these other laws because it lies at the foundation of them all. Its results are not more numerous; they are only *as* numerous, and *far more valuable.*

January 21, 1853.*

STATEMENTS OF REV. ISAAC HOSFORD, OF LOWELL.

13. DRUNKENNESS OBLITERATED IN COUNTRY TOWNS.—Country towns, by far, best perfect this work, and, we may say, most profit by it. Great

* Address of the *Massachusetts State Temperance Society.*

numbers of them, especially where the religious principle has any prominence, have already reduced the traffic down to simple medicinal retail by town agency, and in consequence have nearly obliterated all features of drunkenness and drinking from their precincts.

December 23, 1854.

STATEMENT OF REV. J. T. WOODBURY, OF MILFORD.

14. THE RETAIL TRADE.—Excepting the cities of Worcester and Boston, the retail trade is pretty effectually broken up. There is no such trade carried on *openly*.

December 30, 1854.

15. LUCRETIA MOTT was born in 1793, in Nantucket island, Massachusetts, and was married to JAMES MOTT at the age of eighteen. She is the most eminent of the ministering Friends in this country, and is remarkable for her shrewd and able advocacy of temperance and the rights of woman. Three years ago, in a letter to a friend, she said: "I hailed the temperance reform in its beginning in Massachusetts; watched its progress with much interest; was delighted with the fidelity of its advocates, and for more than twenty years I have practiced total abstinence from all intoxicating drinks."

Chapter Two.

An evil always becomes *worse* by being sustained by the laws of the land. It is much to have the sanction of law and the moral force of law in favor of any course of human conduct.—REV. ALBERT BURNS.

BARNSTABLE COUNTY.

Effect of public opinion on the liquor traffic through municipal authority—Population.

HARWICH.—Population—From Mr. SIDNEY UNDERWOOD:—The Maine Liquor Law too late—Commencement of the reform in Harwich—Licenses refused—The license laws enforced—Never retrograded—Improvement among fishermen—The importation of liquor stopped—Crime and pauperism—Support of the Gospel.

1. ONE of the most gratifying instances of the force of public opinion in prohibiting the liquor traffic by municipal authority, without waiting for State legislation, is furnished in this county.

LUCRETIA MOTT.

The concise history of the temperance movement, furnished in the following sketch of Harwich, shows how much may be done by a community determined to rid themselves of the great nuisance, the liquor traffic. We gladly give insertion to the whole communication, as it deserves the attention of temperance men in every city where prohibition has not yet been enforced.

2. Population 35,276.

HARWICH.

3. Population 3,258.

From Mr. SIDNEY UNDERWOOD, Deacon of Congregational Church.

4. THE MAINE LIQUOR LAW TOO LATE.—The Maine Liquor Law came quite too late for us. Temperance results of prohibiting the traffic have an earlier origin here. We do not complain of the law at this late day, for if there is any fault in it, it is still not stringent enough. We could have sustained such a law twenty or twenty-five years ago.

5. COMMENCEMENT OF THE REFORM IN HARWICH.—Early in 1827 we formed a temperance society, pledged not to use distilled liquors. It was in effect a teetotal society, as spirits were the only intoxicating liquors in use. Our minister drew up our pledge. Ministers of the Gospel here have always been first and foremost in this good work. I had the pleasure of being first to sign that pledge.

6. LICENSES REFUSED.—About the year 1829 our town voted instructions to our selectmen not to approbate any one for a license; and none from that day to this has been granted. Our traders gave up dealing in liquors. Men, however, of less principle, felt that their fireside rights "were invaded, and commenced the trade 'in self-defense.'"

7. THE LICENSE LAWS ENFORCED.—The town raised a committee to prosecute all violations of the license laws in 1829–30–31–32. I was chairman of that committee. It was a slow operation at first, as we could only reach violations by indictments; but in 1831 we had an act which enabled us to prosecute before a justice of the peace.

8. NEVER RETROGRADED.—The town took its stand then, and I am happy to say it has never retrograded.

9. TRADE AND COMMERCE.—I suppose at that period Harwich had as little enterprise as any place within my knowledge. Our business was mostly cod-fishing for four or five months a year, yielding from $50 to $100 per share. Now the business of the place has improved some five hundred per cent.

10. IMPROVEMENT AMONG FISHERMEN.—A large portion of the class of persons engaged in the fishing business had no other permanent employment. Their supply of rum was from three to six barrels for a crew of eight to

twelve or fourteen hands, and almost every body drank as freely when at home. I hardly need say that we believe now there is not a vessel from our ports provided with stores of liquor more than for medical purposes.

11. THE IMPORTATION OF LIQUOR STOPPED.—Our packets will not bring the liquor here now, and if neighboring towns would come into this arrangement we could dry up this fountain of misery at once.

12. CRIME AND PAUPERISM.—Probably three fourths of the crime and pauperism which was once common here originated with the rum-drinking.

13. SUPPORT OF THE GOSPEL, ETC.—I suppose at this time we have advanced five hundred per cent. in the support of the Gospel, schools, and public improvements, since our prohibition commenced.

January 15, 1855.

Chapter Three.

One indication of good is found in the fact, that the friends of temperance in Massachusetts are increasingly active in the enforcement of their present law, and are making it do good service for the right, defective as it is.—*Prohibitionist.*

BERKSHIRE COUNTY.

Enforcement of the law in Berkshire County—Population.

LANESBOROUGH.—Population—From Rev. CHAUNCEY EDDY:—Period of enforcement—Public opinion—Convictions for violating the Maine Liquor Law—Open selling—The Sabbath—Public opinion.

LEE.—Population—From Rev. AMORY GALE:—Period of enforcement—Crime—Reclaimed from intemperance—The Sabbath—Clandestine rum-selling—Convictions under the law—The new law better than the old.

NORTH ADAMS.—From H. L. DAWES, Esq.:—The Maine Liquor Law a part of the Criminal Code.

1. THE Prohibitory Liquor Law appears latterly to have been tolerably well enforced in Berkshire County, as will be seen by the following returns. The results promise well, as indicating what may be expected of this county when the new law comes into operation.

2. Population 49,591.

LANESBOROUGH.

3. Population 1,229.

From Rev. CHAUNCEY EDDY, Congregationalist.

4. PERIOD OF ENFORCEMENT.—About twelve months.

5. THE PEOPLE'S VOICE.—The representation of this town in the State Legislature opposed the passage of the Maine Liquor Law, and it was supposed, as all appearances indicated, that most of the people were opposed to the enactment of any laws of the kind, and would oppose their execution if they were enacted. Such, however, was not the case, as will be seen by what follows.

6. CONVICTIONS FOR VIOLATING THE MAINE LIQUOR LAW.—A little more than a year ago, an effort was commenced to execute such law as we had, by convicting retailers of violating the laws, on the testimony of the purchasers. In every case tried (some six or seven) the actions were sustained; fines from $10 to $70 were imposed and collected. The convicted entered into bonds of $1,000 each not to transgress again.

7. OPEN LIQUOR-SELLING STOPPED.—Fifteen months ago there were twelve groceries, or places where intoxicating beverages were sold, and they were well patronized. When the above convictions had taken place, all open sale of liquors was ended, though a surreptitious sale has probably continued.

8. THE SABBATH.—There is not half as much open violation of the Sabbath as before the execution of the law.

9. PUBLIC OPINION.—The most of our respectable citizens, I am sure—the whole of them, I presume—are now decidedly in favor of the law, especially with the clause authorizing the holding of the drinker in durance until he gives his testimony against the man from whom he obtained his liquor.

January 11, 1855.

LEE.

10. Population 3,220.

From Rev. AMORY GALE, Baptist.

11. PERIOD OF ENFORCEMENT.—Nearly three years.

12. CRIME.—During that period crime has diminished one half.

13. RECLAIMED FROM INTEMPERANCE.—There are several cases of reclamation from intemperance as a result of the Maine Liquor Law.

14. THE SABBATH.—I think the observance of the Sabbath has increased.

15. CLANDESTINE RUMSELLING.—We live on the borders of New York, and the liquor is brought over the line clandestinely and disposed of illegally among us. We have rum-holes, but they are kept mostly by the Irish, and it is impossible to get an Irishman to swear against an Irishman.

16. CONVICTIONS UNDER THE LAW.—We occasionally find a Yankee who will tell the truth upon the stand. Every week or two a rumseller is arrested and has to pay his fine. A large number are under bonds, and quite a number expect to appear before the County Court next week.

17. THE NEW LAW BETTER THAN THE OLD.—The decision of the Su-

preme Court has greatly crippled the execution of the law, and yet the present law is far superior to the old one.

January 3, 1855.

NORTH ADAMS.

18. Population 3,000.

From H. L. DAWES, Esq., District Attorney.

19. THE MAINE LIQUOR LAW A PART OF THE CRIMINAL CODE.—I gave the law a reluctant vote because I was convinced the people would not be satisfied until they had tried the Maine Law. The law passed, and I resolved to give it a fair trial. I now give my full testimony in its favor. It has worked well where it has been fairly tried. It has shown the integrity of the jury box. I have yet to find a jury who have hesitated to convict under clear evidence. Prohibition has now become a settled principle, and the law a part of our criminal code. Public sentiment places rumselling with other crimes, and its criminals with other criminals. There is no way but to go forward steadily and firmly. Spasmodic efforts will not do it. Sleepless vigilance alone will suffice. Legal and moral agencies should be combined. They are like the soul and body, and in the present state of existence can not well act separately.

February 19, 1855.*

Chapter Four.

Much is done to countenance evil when the law seeks to regulate it; to check it, but not to remove it; to tax it; to derive a revenue from it; and to make supplemental provisions for the mischiefs which grow up under its own enactments.—REV. ALBERT BURNS.

BRISTOL COUNTY.

Disrepute of the traffic in Bristol County—Population.

FALL RIVER.—Population—From BENJAMIN F. WINSLOW, Esq.:—Period of enforcement—Crime—The Sabbath—Public opinion—Liquor-selling fallen into disrepute.

1. THE evident disrepute into which the liquor traffic has fallen in this county is a pleasing feature of the results of a prohibitory law. Although, in case of bad laws, opposition to their arbitrary enforcement is sometimes the truest heroism and even patriotism, opposition to a good law, such as this is universally believed to be by those who have seen its advantages, will ever

* From *The Maine Law Illustrated.*

be accompanied with the disrespect of those whose respect is worth having; and no one can persevere in such opposition or violation without losing all claim to creditable position in society.

2. Population 76,192.

FALL RIVER.

3. Population 11,524.

From BENJAMIN F. WINSLOW, Esq., Justice of the Peace for the County of Bristol, merchant, Baptist.

4. PERIOD OF ENFORCEMENT.—A little more than a year, and not until the most efficient portion of the law was pronounced unconstitutional by the Supreme Court of this State.

5. CRIME.—The tendency of the enforcement of the law is plainly to diminish crime.

6. THE SABBATH.—While the law was being enforced, the increased observance of the Sabbath was obvious to all who took an interest in good order.

7. PUBLIC OPINION.—The general feeling of respectable citizens is, almost without exception, in favor of the law. The exceptions are those persons who have not had time to examine and understand the merits of the law.

8. LIQUOR-SELLING FALLEN INTO DISREPUTE.—When the law was being agitated in our Legislature, before it was passed, a venerable Senator, respected by all, a man of uncommon sagacity, having occupied many important posts in this State, made a great effort against the enactment of the law; among other reasons why such a law should not be enacted, he said the tendency of it would be to place the entire business of liquor-selling in the hands of the most infamous, the most degraded of God's creatures—men of no character, but thieves, robbers, and murderers, so that when a respectable man wanted to obtain liquor he must descend into the vilest dens of wickedness or go without it. This prophecy has proved true, and the friends of good order rejoice that it is so. In our city and neighborhood there is not a man engaged in the unlawful traffic, who claims for himself any sort of respect, but considers himself one of the characters spoken of by the honorable Senator.

March 2, 1855.

Chapter Five.

Society has a right to protect itself. The right is inherent in the organization. It is always acted on. If it were not so, the attempt to organize civil society would be a farce. In all civil society it is assumed that this is so.—REV. ALBERT BURNS.

DUKE'S COUNTY

Prohibition long enjoyed in Duke's County—Happy consequences—Population.

ISLAND OF MARTHA'S VINEYARD.—Population.—From the Boston *Telegraph*:—Eighteen years of prohibition—Crime before prohibition commenced—Crime since prohibition triumphed.

TISBURY.—Population—From REV. SAMUEL COLE:—Period of enforcement—An island free from intemperance.

1. DUKE'S COUNTY, on the island of Martha's Vineyard, is one of the favored spots of the earth, or, rather, of the ocean. Situated at a distance from the continent, it has made a declaration of freedom from intoxicating liquors for more than eighteen years. The results of prohibition, continued for this long period, are such as every temperance advocate would naturally expect. The enormous reduction of crime, and the peacefulness of the neighborhood on the island since prohibition has been enforced, are some of the happy consequences of this great reformation.

2. Population 4,540.

ISLAND OF MARTHA'S VINEYARD.

3. Population 4,540.

From the Boston *Telegraph*.

4. EIGHTEEN YEARS OF PROHIBITION.—The sale of liquor has been outlawed for more than eighteen years. Rumselling is not known in that locality.

5. CRIME BEFORE PROHIBITION COMMENCED.—While the traffic continued, the courts were in session for about two weeks each term.

6. CRIME SINCE PROHIBITION TRIUMPHED.—What has been the result? Crime has not only diminished, but it seems to have entirely left the Vineyard. We are informed that no case of crime has come before the courts for something like sixteen years. Civil cases have been greatly diminished, and there are now very few that come in for trial. The judges go down in one boat and back in the next.

February, 1855.

TISBURY.

7. Population 1,803.

From Rev. SAMUEL COLE, Congregationalist.

8. PERIOD OF ENFORCEMENT.—Since 1853.

9. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

10. AN ISLAND FREE FROM INTEMPERANCE.—The truth is, this island, Martha's Vineyard, is almost an exception. For some years past the evils of intemperance have been but little known among us. There have been probably not more than eight or ten persons, out of a population of from 4,000 to 5,000, to whom the word drunkard would apply. Most from choice, and some from the restraint of public opinion, do not use intoxicating drinks, and, as a beverage, they are not to be had on the island.

January 21, 1855.

Chapter Six.

We do not ask for any new principle of civil law. We do not ask to introduce into the community a new and untried process that may possibly be dangerous in its workings. We only ask that a principle and process as familiar to us as law itself, and which has been in operation ever since England has had a system of jurisprudence, or the American colonies a system of law, should be applied to *another* crime, viz., the practice of making criminals!—REV. HENRY WARD BEECHER.

ESSEX COUNTY.

Inefficient enforcement of the Maine Liquor Law in Essex County—Population.

ANDOVER.—Population—From GEORGE FOSTER, Esq., J. P.:—Period of operation—Public opinion—Amendment of the law—An efficient law.

NEWBURYPORT.—Population—From Rev. D. F. FISKE:—Neglect of the authorities.

1. ESSEX COUNTY has not been blessed with a very rigid enforcement of the Prohibitory Law, although its respectable citizens are evidently in favor of it. The following returns will give a fair idea of the condition of this county in relation to the law. The authorities are evidently neglectful of their duty, and probably the law will not be enforced until better men are elected to fill their places.

2. Population 131,300.

ANDOVER.

3. Population 6,945.

From GEORGE FOSTER, Esq., Justice of the Peace, and editor of the Andover *Advertiser*.

4. PERIOD OF OPERATION.—About two years.

5. CRIME.—I think crime has decreased.

6. PUBLIC OPINION.—Respectable citizens are almost unanimously in favor of restriction. They regard the principle as good, but believe the present law is not just the thing.

7. AMENDMENT OF THE LAW.—The incoming Legislature will, without doubt, obviate the difficulty caused by one section of the law being pronounced by one of our judges unconstitutional.

8. AN EFFICIENT LAW.—A law of this kind, properly matured and stringent in its character, will do good anywhere. Much deliberation and care should be bestowed upon the framing of a bill of this kind, that loopholes may not be found through which lawyers may pull their clients.

December 23, 1854.

NEWBURYPORT.

9. Population in 1850, 9,572. In 1853, 11,000.

From Rev. D. T. FISKE, Congregationalist.

10. NEGLECT OF THE AUTHORITIES.—The Maine Liquor Law has not, I regret to say, been enforced here at all. Our city authorities have not even appointed an agent to sell according to law.

February 23, 1855.

11. No law, however efficient in its provisions, can be of any service, unless proper authorities use the proper means to enforce it.

February 3, 1855.

Chapter Seven.

It is one of the peculiarities of this law—whatever theories, drawing a different conclusion, we might in advance apply to it—that where it has been most efficiently executed, there the greatest results in the suppression of crime and pauperism have been most satisfactorily achieved, and it has seized with such strong hold on the hearts of the people, that its popularity has in those places become invincible.—DR. JAMES STONE, of Boston.

FRANKLIN COUNTY.

Temperance and prohibition long enjoyed in some parts of Franklin County—Population. STATEMENT OF MR. D. W. ALVORD, OF GREENFIELD:—A blessing to the community. BERNARDSTON.—Population—From Rev. WM. W. HEBBARD:—Observance of the Maine Liquor Law—Public morals—Reclaimed from intemperance—Public opinion.

COLERAINE.—Population—From Rev. WM. STOW:—Period of enforcement—Public order—Consumption of liquor—Former reputation of the town—Aristocratic opposition.
DEERFIELD.—Population—From Rev. DAVID STRONG:—Crime—Public opinion—The Maine Liquor Law enforced—Barn burned—Lawsuits.
GREENFIELD.—Population—From Mr. D. W. ALVORD:—Period of enforcement—Grog-shops closed.
SHULESBURY.—Population—From Rev. W. A. PEASE—Public opinion—No necessity to enforce the law.

1. FRANKLIN COUNTY has in some parts long enjoyed many of the blessings of temperance and prohibition, and the enforcement of the Maine Liquor Law, though imperfectly, has added new trophies to the temperance ranks. In some instances the fear of the law is enough to frighten the retailer to discontinue the traffic without resorting to process.

2. Population 30,870.

STATEMENT OF MR. D. W. ALVORD, OF GREENFIELD.

3. A BLESSING TO THE COMMUNITY.—Within two years past there were open grog-shops in very many of the towns in the county of Franklin. At this moment I do not think there are ten in the whole county. The decrease is owing entirely to the enforcement of the law. It has been a blessing beyond any thing we have ever had, and I am satisfied that wherever it is enforced it will prove a blessing to the community. Its effects in lessening rowdyism are very marked. Before the law passed, our streets were noisy and riotous, and it was unsafe for any female to venture out in the evening unprotected; but now it is not so.

February 23, 1855.*

BERNARDSTON.

4. Population 937.

From Rev. WILLIAM W. HEBBARD, Unitarian.

5. OBSERVANCE OF THE MAINE LIQUOR LAW.—To my knowledge the Maine Liquor Law has not been broken in this town.

6. PUBLIC MORALS.—There was no open crime in the town before the enactment of the Maine Liquor Law.

7. RECLAIMED FROM INTEMPERANCE.—I believe there is a large number of cases of reclamation from intemperance in neighboring towns.

8. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

December 23, 1854.

COLERAINE.

9. Population 1,785.

* In *The Maine Law Illustrated.*

From Rev. WM. STOW, Baptist.

10. PERIOD OF ENFORCEMENT.—About a year.

11. PUBLIC ORDER.—Our town meetings are now more quiet and orderly than they were.

12. CONSUMPTION OF LIQUOR.—Although the law has not been rigidly enforced, there is less liquor drank than formerly.

13. FORMER REPUTATION OF THE TOWN.—Forty or fifty years ago this town was more noted for intemperance than for any other quality.

14. ARISTOCRATIC OPPOSITION.—Could we have the influence in office of six or eight such men as I could select from my congregation, we could stop the sale of liquor here in three weeks, although our aristocracy oppose the temperance movement at every point, evading the law, refusing to testify when called upon, and, worse than all, equivocating to the very verge of perjury.

December 16, 1854.

DEERFIELD.

15. Population 2,421.

From Rev. DAVID STRONG, Orthodox Congregationalist.

16. CRIME.—This has been a moral, temperance community for years, and consequently the enactment of the prohibition law about two years and a half ago can not have made so much difference in regard to crime as in other places, yet I feel confident that there is less drinking, and I know of only a small number of persons who drink at all.

17. PUBLIC OPINION.—The general feeling of respectable citizens is, that it is a good and wise law and ought to be sustained, and that the result of sustaining it has been and will be beneficial.

18. THE MAINE LIQUOR LAW ENFORCED.—The law has been enforced in a number of instances in this village, causing a diminished sale of liquors and making the traffic altogether clandestine.

19. BARN BURNED.—One barn has been burned, supposed to have been in retaliation for the enforcement of the law. There was not sufficient evidence to convict the suspected parties.

20. LAW SUITS.—In one case a considerable quantity of liquor was seized and destroyed according to law, and the owner fined for selling; the prosecuting parties were subjected to a vexations lawsuit for trespass in crossing another man's field in search of contraband liquors which had been concealed. One case is at this time pending in court on a bill of exceptions. The Franklin County Carson League is the prosecuting party.

January 17, 1855.

GREENFIELD.

21. Population 2,580.

From Mr. D. W. ALVORD.

22. PERIOD OF ENFORCEMENT.—About one year.

23. GROG-SHOPS CLOSED.—There were between twenty and thirty grog-shops in Greenfield. I don't think there is one now in the village. The enforcement of the law broke them up entirely.

February 22, 1855.*

SHULESBURY.

24. Population 912.

From Rev. W. A. PEASE, Baptist.

25. PUBLIC OPINION.—Every respectable citizen in this town is in favor of the Maine Liquor Law, without exception.

26. NO NECESSITY TO ENFORCE THE LAW.—There has been no necessity to enforce the Maine Liquor Law here, as the fear that it would be enforced has broken up four grog-shops, and prevented the sale of about fifty-seven barrels of alcoholic liquor during the present year.

February 13, 1855.

Chapter Eight.

We ask that liquor-dealers and their dwellings be treated as we treat counterfeiters and their shops or houses. We propose to treat men who secrete liquor for sale, just as we would a smuggler who stored contraband laces and silks for sale. We propose to treat men who keep, for illegal and criminal traffic, the implements of death to the citizen, just as, in time of war, we would treat those suspected of treasonable intercourse with an enemy, and of keeping arms and provisions in their dwellings, for the aid and comfort of an enemy.—REV. HENRY WARD BEECHER.

HAMPDEN COUNTY.

Good effects of the law visible in the streets—Population.

CHESTER.—Population—From Rev. T. WALKER:—Period of enforcement—Public opinion—Absence of loafers—The defects in the law.

SPRINGFIELD.—Population—From Hon. Judge BISHOP:—The criminal business.—From Rev. Mr. SEELEY:—Results on workingmen's families—Effects on young men.—From Mr. CHAPMAN:—Reduction of drinking.

1. ALTHOUGH the decision of the court hindered the full execution of the law in this county, it is evident, from the following returns, that some good is visible even in the appearance of the streets, once infested with idlers, and that the criminal business has been greatly affected.

2. Population 51,283.

CHESTER.

3. Population 1,521.

* From *The Maine Law Illustrated.*

From Rev. T. WALKER, Congregationalist.

4. PERIOD OF ENFORCEMENT.—Over two years.

5. PUBLIC OPINION.—The feeling of all respectable citizens is in favor of prohibition.

6. ABSENCE OF "LOAFERS."—The "loafers" and idle persons once standing and lounging about the streets and at public places have become industrious citizens or left for parts unknown.

7. THE DEFECTS IN THE LAW.—Owing to the defects in the law—the unconstitutionality of the fourteenth section—its execution is not so complete nor its effects so universal as it evidently would be. We are waiting with much interest the action of our Legislature in making suitable amendments to the law.

December 23, 1854.

SPRINGFIELD.

8. Population in 1850, 11,766. In 1853, 14,000.

From Hon. Judge BISHOP.

9. THE CRIMINAL BUSINESS.—The criminal business has very much increased under the new law. It is accounted for in this way: the violations of the law itself add very materially to the criminal business. I had, in my last term in the county of Middlesex, no fewer than 104 indictments under the new law; I should think that five sixths of the whole were convicted The operation of this new law has diminished the other class of criminal business very much. It is accounted for in this way: the majority of other criminal business proceeded from intemperance. I say, without fear of contradiction, that nine tenths of all crimes of personal violence—assaults in their various forms—are committed in a state of intoxication. Crimes of personal violence have hitherto constituted at least two thirds of all our criminal business, and if the source of the evil is dried up by this new law, it is easy to see that judges, by-and-by, will have very little criminal business to attend to.

February 6, 1855.*

From Rev. Mr. SEELEY.

10. RESULTS ON WORKINGMEN'S FAMILIES.—I have witnessed its favorable effects upon many working people connected with my own congregation. I could mention several instances. One very interesting case came to my knowledge very recently. In making my accustomed rounds I called at a house which formerly presented rather a distressing appearance. I was astonished at the wonderful reform which had taken place, and suspecting the cause, I expressed the pleasure I felt at the happy change, when the good woman said, with an overflowing heart, in something like the following words: "All this is the effect of the Maine Law! My husband was not a

* From *The Maine Law Illustrated.*

drunkard, and would not drink for the mere love of drinking; but he was very sociable; and when he went of a Saturday evening with his companions into the tavern, he would sometimes spend all his wages and come home intoxicated! But he now comes home sober—the temptation is removed out of his way, and he has provided for us all very comfortably ever since the Maine Law was put in operation. We have got a new carpet to our room, and he purchased this little singing canary-bird for our little boy, who has begun to attend the Sunday school." Many such instances could be given of the very happy effects of the law, and I think it will thus insure its own perpetuity when once fairly established.

11. EFFECTS ON YOUNG MEN.—Its effects are very marked upon our young men. Since the fashionable saloons were shut up they have formed a Young Men's Literary Association, where they meet regularly to read essays, and for general mutual improvement. Our Lyceum lectures were never half so well attended as they have been this winter. In addition to our usual lectures two or three evenings a week, we have recently had two courses, of six lectures each, on geology, by Dr. BOYNTON, and they were thronged every evening. The first course was so crowded, that he was prevailed upon to give a second, that those who had not heard him might have an opportunity of doing so; and our hall, capable of containing one thousand people, was crowded all the evenings. You saw there precisely the same class of people that in Montreal you will see at the theater. Our young men now feel that a ticket to the Lyceum lectures is an absolute necessary of life. This feeling has increased so much that we have no building large enough to contain the applicants. I believe that three thousand tickets could have been sold as easily as one thousand. To meet, so far, the demand, an extra course is intended to be given on a different evening for those who could not get tickets for the regular course.

February 7, 1855.*

From Mr. CHAPMAN, Counselor at Law.

12. REDUCTION OF DRINKING.—There is not the one-hundreth part of the drinking in Springfield that there was before the temperance movement commenced. You will however find persons even here who will tell you that prohibitory laws will increase drinking. But those who say so are invariably persons who desire to sell, and commonly the lowest dealers; or persons who are hard drinkers; or politicians who court the rumseller's vote and influence, and pander to them for it. The religious and moral part of the community, without exception, you will find of a contrary opinion. Even those who in their own families use their wine, give their influence in favor of the Maine Law.

February 7, 1855.†

* From *The Maine Law Illustrated.* † *Ibid.*

Chapter Nine.

The principle of prohibition is born, the law is enacted, and you might as well expect to get last year's chicken back again into its egg-shell, as to expect to get the law repealed.—REV. HENRY WARD BEECHER.

HAMPSHIRE COUNTY.

The law well enforced in Hampshire County—Population.

WARE.—Population—From the correspondent of the State Temperance Society:—Popularity of the Maine Liquor Law—Working of the Maine Liquor Law—Cases of intoxication—Peace of the town.

1. HAMPSHIRE COUNTY is more favored than some other counties of this State, from the fact, that the law has been well enforced, and the peace and tranquillity of the county thereby rendered secure. Nothing is more remarkable in the information received from the various counties of Massachusetts than the fact, that in proportion as the law is enforced the public sentiment increases in its favor; and this is the best evidence of its value and efficiency, and the general good to society resulting therefrom.

2. Population 35,792.

WARE.

3. Population 3,785.

From the Correspondent of the State Temperance Society.

4. POPULARITY OF THE MAINE LIQUOR LAW.—The law has apparently been popular with us, and no desire is expressed for its repeal.

5. WORKING OF THE MAINE LIQUOR LAW.—We see great good in the working of the law, inasmuch as no open sales are now known.

6. CASES OF INTOXICATION.—Cases of intoxication are now so rare that when one occurs it attracts attention.

7. PEACE OF THE TOWN.—We have now much less noise in our streets.

January 3, 1853.

Chapter Ten.

When we come to lay low the foe who was our greatest enemy, some widows will say, "Would God it had been in his day! He was true of heart when I knew him young, and but for the facility with which he obtained this drink, he would now be my protector." Many an orphan will say, "Would God it had been earlier, then I should have a father!" But there will be maidens, and mothers, and fathers who will swell forth such a peal of joy as never broke through the air, and will roll from the Lakes to the Hudson, and from the Hudson to the sea.—REV. HENRY WARD BEECHER.

MIDDLESEX COUNTY.

Diminution of crime very great—The Prohibitory Law popular—Population.

ASHLAND.—Population—From Rev. WILLIAM THAYER:—Period of operation—Crime—Public health—Trade—The Sabbath—Public opinion.

CAMBRIDGE.—Population—A liquor-dealer in difficulty—House of correction—From Rev. ISAAC J. P. COLLYER:—Period of enforcement—Crime—The Sabbath—Public opinion—A reformed character.

LOWELL.—Population—From the Lowell City Marshal:—Drunkenness diminished.—From the Lowell Minister at Large:—Lowell jail—Lowell police report.—From Rev. ISAAC HOSFORD:—Period of operation—Crime—Health and well-being—Reclaimed from intemperance—Trade—Public opinion—How to make the law more efficient.

NATICK.—Population—From Rev. ELIAS NASON:—Period of operation—Crime—Public health—The use of spirituous liquors—Abandoning the cup—Trade—Attendance at church—Public opinion.—Absence of drunken scenes—The election—A murder—More vigilant execution of the law.

NORTH READING.—Rum arguments.

1. THE county of Middlesex has not effectually enforced the Prohibitory Law, but in those places where it is enforced in this county, its effects in the diminution of crime and disorder are very great. The opinion of the most reputable portion of the community appears to be uniformly on the side of prohibition.

2. Population 161,383.

ASHLAND.

3. Population 1,304.

From Rev. WILLIAM M. THAYER, Orthodox Congregationalist.

4. PERIOD OF OPERATION.—About two years and a half.

5. CRIME.—In those places where the Maine Liquor Law has been enforced, the diminution of crime is from fifty to seventy per cent.

6. PUBLIC HEALTH.—The health of the community has improved.

7. TRADE.—Legitimate home trade has increased.

8. THE SABBATH.—Observance of the Sabbath has also increased.

9. PUBLIC OPINION.—The general feeling of respectable citizens is favorable to the law.

December 21, 1854.

CAMBRIDGE.

10. Population 15,215.

11. A LIQUOR-DEALER IN DIFFICULTY.—We are informed that Mr. Z. PORTER, one of the largest liquor-dealers of this place, was convicted, some time since, on *eighteen* cases, for violation of the law. He appealed, and the Common Pleas Court at Lowell has decided the cases against him, confirming the decision of the court below. The aggregate penalties incurred amount to $350, and costs, *and four years' imprisonment.*

12. HOUSE OF CORRECTION.—Committed to the Cambridge House of Correction—

From July 21 to October 21, 1851		192
From Lowell	89	
For drunkenness	108	
From July 21 to October 21, 1852		104
From Lowell	27	
For drunkenness	88	
Difference in favor of the law		88

The master of the house of correction says that he "knows no cause for the decrease except the Liquor Law, as when tippling decreases so will crime."*

From Rev. ISAAC J. P. COLLYER, Methodist, Cambridgeport.

13. PERIOD OF ENFORCEMENT.—Since about January, 1854.

14. CRIME.—Since that period, I am told, crime has diminished nearly one half.

15. THE SABBATH.—I think Sabbath observance has increased.

16. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

17. A REFORMED CHARACTER.—A person who was habitually intoxicated was restrained from his habits only because he could not obtain spirits, and he soon became a member of the Sabbath congregation and a Christian.

December 23, 1854.*

LOWELL.

18. Population 33,383.

From the Lowell City Marshal.

19. DRUNKENNESS DIMINISHED.—The amount of drunkenness for the year ending October 22d is sixty-seven per cent. less than during the same time last year, and the criminal business of our police court has been reduced twenty-five per cent., including liquor cases, and excluding these, thirty-eight per cent.†

* From *Report of the Lowell Minister at Large.*

† From *Report of the Massachusetts State Temperance Society.*

From the Lowell Minister at Large.

20. LOWELL JAIL.—Committed to Lowell Jail:

From July 21st to October 21st, 1851		78
Belonging to Lowell	72	
Drunkards	71	
Minors	15	
From July 21st to October 21st, 1852		57
Belonging to Lowell	46	
Drunkards	47	
Minors	8	—
Difference in favor of the Law		21

21. LOWELL POLICE REPORT.—For three months ending Oct. 22, 1851:

Committed to the watch-house for drunkenness	160	
Reported seen drunk, but not arrested	390	
	550	550
Same period of 1852:		
Committed to the watch-house	70	
Reported seen drunk, but not arrested	110	
	180	180
Difference in favor of the law		370

From Rev. ISAAC HOSFORD, City Missionary.

22. PERIOD OF OPERATION.—Some two years.

23. CRIME.—The per centage of the diminution of crime must be great.

24. HEALTH AND WELL-BEING.—The general health and well-being of the community have confessedly improved.

25. RECLAIMED FROM INTEMPERANCE.—Great numbers of cases of reclamation from intemperance have taken place from various causes. The Maine Liquor Law is, however, decidedly the most prominent cause, taking temptation out of the way, helping weak resolutions, etc.

26. TRADE.—There must be an increase in the legitimate home trade where large masses of the community are turned from besotted idleness to productive industry; from guzzling all their earnings to a judicious outlay in the comforts and necessaries of life.

27. PUBLIC OPINION.—With nearly every disinterested intelligent philanthropic and responsible citizen there is but one voice: "We must have a prohibitory law," and the one we have is decidedly the best approximation to what is required.

28. HOW TO MAKE THE LAW MORE EFFICIENT.—Our only question is, how to make the law more efficient, in order to compass the evasions, and

execute directly. In this respect we feel the need of the Vermont appendage—the constraining power on the drunkard's testimony. This, with the confiscatory power of the Maine Liquor Law, are now seen to be the essential elements of all efficiency, without which we can do nothing, but with which we are perfectly sure that all the leading features of mischief would at once be broken up. This is demonstrated by the voluntary shutting up of countless grog-shops throughout the State, and continuance of the traffic only out of Boston under the most occult and stealthy circumstances, the risk far outmeasuring the ordinary profits.

December 23, 1854.

NATICK.

29. Population 2,744.

From Rev. ELIAS NASON, Congregationalist.

30. PERIOD OF OPERATION.—Since the summer of 1852.

31. CRIME.—There has been a diminution of crime, perhaps fifty per cent. I am unable to say precisely.

32. PUBLIC HEALTH.—I have observed a very decided improvement in the health of this town since the Maine Liquor Law went into effect.

33. THE USE OF SPIRITUOUS LIQUORS.—There has been, I think, a gradual diminution in the use of spirituous liquors in this town for the past two years.

34. ABANDONING THE CUP.—Many moderate drinkers have abandoned the cup entirely.

35. TRADE.—There has been an increase in the legitimate home trade of the town.

36. ATTENDANCE AT CHURCH.—My congregation has been steadily increasing since the enforcement of the law.

37. PUBLIC OPINION.—The feeling of respectable citizens is almost unanimously in favor of the law.

38. ABSENCE OF DRUNKENNESS.—Inebriates are no longer seen staggering through our streets.

39. THE ELECTION.—A thorough going temperance man was this year elected by a large majority to our State Legislature.

40. A MURDER.—An atrocious murder was committed in this town in the early part of last year, at an hotel, at which ardent spirits were sold in violation of the law. The keeper of the hotel is now in prison awaiting trial for murder.

41. MORE VIGILANT EXECUTION OF THE LAW.—The above circumstance has prompted us to be more vigilant in the execution of the law. Out of that evil great good has thus come. Since that time a great improvement has taken place at the hotel and through the town generally.

February 3, 1855.

NORTH READING.

42. The temperance friends here have been subjected to a bitter kind of persecution, of which the following is an instance, recorded in the Boston *Telegraph*. It is a fair specimen of the way in which wicked men show their spleen toward those who desire to promote the morality and general welfare of the community.

43. RUM ARGUMENTS.—A severe outrage was committed on the evening of the 9th of January upon the property of AARON T. HEROES, of North Reading, about ten o'clock in the evening. Thirty or forty of his fruit trees were girdled; four bottles of coal tar were thrown into one of his windows, destroying every thing it came in contact with. He, with others, in accordance with a vote of the town, had prosecuted a man by the name of TOWNSEND for selling liquor contrary to law. He was taken before the police court of Lowell, and this is the way they retaliate. It is supposed there must have been some four or five persons engaged in this detestable business. The selectmen have offered one hundred and fifty dollars for their detection.

Chapter Eleven.

There is good room for improvement; but I thank God we have made some inroads upon the monster evil, and have dried up some of the fountains from which flow streams that desolate the fair face of society.—LIEUT. GOV. HUNTINGDON, Ex-Mayor of Lowell.

NORFOLK COUNTY.

Prohibition some time in operation in Norfolk County—Population.

CANTON.—Population—From the correspondent of the State Temperance Society:—Expectations exceeded—Crime—Rum-shops closed—Secret places.

RANDOLPH.—Population—From *Report of the State Temperance Society*:—Closely watched—Good done.

SHARON.—Population—From Rev. MYRON MERRIAM:—Fourteen years of prohibition—Reclaimed from intemperance—Public opinion—The Maine Liquor Law enforced.

WEYMOUTH.—Population—From Rev. JONAS PERKINS:—Period of operation—Retail traffic excluded—Crime—Reclaimed from intemperance—The Sabbath.

1. PROHIBITION has been for some time in operation in several parts of this county, leaving little for the Maine Liquor Law to

do. It is gratifying to see that in country districts there is a degree of public morality which excludes drinking, when aided by law, from the ordinary habits of the people. If found at all, it is among a class of persons generally foreigners that can not lay claim to the distinction of respectability as citizens.

2. Population 78,892.

CANTON.

3. Population 2,598.

From the Correspondent of State Temperance Society.

4. EXPECTATIONS EXCEEDED.—The beneficial results of the law have exceeded our expectations.

5. CRIME.—Crime, quarrels, and drunkenness have greatly diminished. The report of the Grand Jury of Norfolk County, at its last session, will prove this.

6. RUM-SHOPS CLOSED.—The law has closed three quarters of the rum-shops in this region.

7. SECRET PLACES.—One great benefit the law has accomplished is this: it has driven the rum traffic into *secret places*. The fact that it can not now be found without *seeking*, will prevent the fall of many young men.

January 8, 1853.

RANDOLPH.

8. Population 4,741.

From the Report of the State Temperance Society.

9. CLOSELY WATCHED.—There were six shops in operation before the law went into effect, which they closed promptly and quietly. They are watched closely, and we believe they do not sell any.

10. GOOD DONE.—A great deal of good has been done. The friends of order see, feel, and appreciate the *good effects* of the law.

January 7, 1853.

SHARON.

11. Population 1,128.

From Rev. MYRON MERRIAM, Baptist.

12. FOURTEEN YEARS OF PROHIBITION.—Liquors have not been sold here, except for medicinal purposes, for fourteen years. This prevents comparison as to the results of the law more recently enacted.

13. RECLAIMED FROM INTEMPERANCE.—Several cases of reclamation from intemperance have come within the scope of my own observation as a result of the Maine Liquor Law.

14. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly in favor of the Maine Liquor Law.

15. THE MAINE LIQUOR LAW ENFORCED.—Ours is a rural town, and no hotel. Those who use intoxicating drinks have to obtain it elsewhere. There was an attempt made to keep liquors by a man residing near a beautiful pond in the town, to sell to those who came there on excursions of pleasure; but he found himself so closely pursued by the solid temperance men of the place, that he was obliged to desist.

January 15, 1855.

WEYMOUTH.

16. Population 5,369.

From Rev. JONAS PERKINS, Congregationalist.

17. PERIOD OF OPERATION.—Nearly two years.

18. RETAIL TRAFFIC EXCLUDED.—The previous prohibitory law had excluded the retailing of spirituous liquors from most country towns in this section.

19. CRIME.—I should judge that crime has diminished fifty per cent. as a result of these laws.

20. RECLAIMED FROM INTEMPERANCE.—The estimated number of those who have relinquished the practice of intemperance is seventy-five per cent., as a result of the prohibitory laws.

21. THE SABBATH.—There is better observance of the Sabbath.

22. ATTENDANCE AT CHURCH.—My congregation has increased probably twenty-five per cent.

January 3, 1855

Chapter Twelve.

How get the right to enter a man's premises? If it is right to enter a man's premises to find whether the liquor he sells is adulterated, and to confiscate it if it is, then the principle is admitted.—REV. HENRY WARD BEECHER.

PLYMOUTH COUNTY

The traffic abolished in the county—Population—From Rev. CALEB STETSON:—Prohibition for years—Public opinion.

MARSHFIELD.—Population—From Rev. OLIVER P. FARRINGTON:—Period of operation—Crime—Public health—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion—Politics.

SCITUATE.—Population—From Rev. DANIEL WRIGHT:—Period of operation—Previous reform—Public opinion—Sustaining the law.

1. THE traffic in Plymouth County has been for some years abolished as an open trade; but the proximity of the county to

Boston, where liquor could be freely obtained, has prevented the full effects of prohibition being enjoyed by the people.

2. Population 55,697.

From Rev. CALEB STETSON, Unitarian, South Scituate.

3. PROHIBITION FOR YEARS.—In this county no license to sell intoxicating liquors has been granted for many years. In this and the neighboring towns no places have been open for this traffic. There has, therefore, been nothing visible on which the Maine Liquor Law could operate.

4. PUBLIC OPINION.—The general feeling of respectable citizens is in favor of the law, desiring to have it made perfect, and thoroughly executed

January 8, 1855.

MARSHFIELD.

5. Population 1,837.

From Rev. OLIVER P. FARRINGTON.

6. PERIOD OF OPERATION.—About two years and five months.

7. CRIME.—The diminution of crime has been very perceptible.

8. PUBLIC HEALTH.—Many have been secured against the various diseases resulting from intemperance by being deprived of the means of becoming intemperate.

9. RECLAIMED FROM INTEMPERANCE.—Reclamation of the drunkards, I am told, has followed the enforcement of the law.

10. TRADE.—There unquestionably has been an increase in legitimate home trade as a result of the Maine Liquor Law here.

11. THE SABBATH.—The Sabbath has been better observed.

12. ATTENDANCE AT CHURCH.—My church has been more fully attended.

13. PUBLIC OPINION.—Respectable citizens are generally in favor of this or of some prohibitory law.

14. POLITICS.—The Maine Liquor Law is one of the great questions in politics and in qualification for political preferment here.

December 30, 1854.

SCITUATE.

15. Population 2,149.

From Rev. DANIEL WRIGHT, Jun., Orthodox Congregationalist.

16. PERIOD OF OPERATION.—Since July, 1852.

17. PREVIOUS REFORM.—The reform of previous years in this village left but little for the Maine Liquor Law to effect; and as Boston, so very near us, does not execute the law, there is but little perceptible effect produced here.

18. PUBLIC OPINION.—The general feeling of all respectable citizens is, that the law is excellent, and should be universally enforced throughout the

land and world. We ardently desire to see the blessing spread. God speed its triumph!

19. SUSTAINING THE LAW.—The town Union Temperance Society was formed in October, 1852, in this place. It soon numbered 500 members. Its object is to sustain the law, and this society continues to hold its quarterly meetings; but the neglect of Boston discourages many in this section.

January 14, 1855.

Chapter Thirteen.

Clergymen, anti-slavery, and total abstinence men are almost unanimously friendly to the law.—DR. STONE, Boston.

SUFFOLK COUNTY.

Prohibition but imperfectly enforced in Suffolk County—The moneyed interest connected with the liquor traffic—Population.

BOSTON.—Population—From the Boston *Transcript*:—Convictions under the law—Public opinion—Decree in relation to non-residents.—From Rev. LYMAN BEECHER, D.D.:—The Maine Liquor Law of God—The clergy—Done great things—Political opposition—Public sentiment.—From Dr. STONE:—Public entertainments—Position of workingmen.

Smoking in the streets.

1. PROHIBITION in Suffolk County, and particularly in Boston, has been but very imperfectly enforced, especially since the decision of the court against the sixteenth section of the law.

2. The large moneyed interest connected with the traffic in this commercial county renders it exceedingly difficult for temperance to prevail. But recently, even in the city of Boston, the election has turned in favor of prohibition. This is encouraging, and as the law has been enforced to some extent already, there is every probability that the new law will sweep down the liquor traffic, and with it the corruption incident to rum-contested elections, so as to secure, in future, temperance men among the city authorities to enforce the law.

3. Population 144,517.

BOSTON.

4. Population 136,881.

From the Boston *Transcript*.

5. CONVICTIONS UNDER THE LAW.—The municipal court have recently convicted *fourteen* liquor-sellers, sentenced them to pay each a fine of $100

and costs, or be imprisoned sixty days in the house of correction. "Since Friday morning last, Deputy Sheriff ANDREWS has received about $2,500 in the above manner (penalties for illegal liquor-selling) for the benefit of the Commonwealth. The grand jury returned about *seventy* additional indictments of this class this morning." Among those recently fined $100 and costs, and put under bonds of $1,000 to obey the law in future, is the celebrated PETER P. BRIGHAM, the keeper of the most splendid drinking-saloon in Boston.

6. PUBLIC OPINION.—Although in a city of this magnitude the rum interest is a strong money power, and the temperance party has consequently great difficulties to contend with, the following results of the recent election will show that the majority of the electors are in favor of prohibition: of the forty-four representatives which Boston sends to the Legislature this year, twenty-three of them are original Maine Law men; and of the six senators, three are prohibitionists.

7. DECREE IN RELATION TO NON-RESIDENTS.—The city authorities of Boston have decreed that all the names of non-residents who come to Boston and get drunk and are arrested, shall be published.

February 7, 1855.

From Rev. LYMAN BEECHER, D.D.

8. THE MAINE LIQUOR LAW OF GOD.—This thing is of God. You may stave it off by law until you have got a majority of the people to force it through; but carry it you must, and no man is so foolish as not to see its success is greater than could have been conceived. It is God's work, every step of the way perfect as we go along. When at the early commencement we got advanced one stage, we came to a stand, and then we were inspired, in a certain sense, to see what to do next. But we never went back, although we slept on our arms sometimes. Public sentiment somehow got prepared for another step. I have the same confidence that God has done this as I have that He planted the Gospel in the times of the Apostles, and carried it forward against fire and sword.

9. THE CLERGY.—With two or three exceptions, all the clergymen in this city are with us in the movement; we are all as one in this great question.

10. DONE GREAT THINGS.—We are in the hardest place, perhaps, in this continent; but we have done great things even here, and now we are about to reap the fruits of all our labors.

11. POLITICAL OPPOSITION.—Our great opposition has come from politicians and from the rumsellers themselves. We could have put the thing down in a fortnight but for politicians.

12. PUBLIC SENTIMENT.—But public sentiment here, notwithstanding all our disadvantages, is decidedly in our favor. Nobody believes we are going back. Some people say there is more liquor drunk in Boston than

there was before; few people believe it. The impulse in favor of prohibition is very strong, it is rapidly gaining ground, and will speedily prevail.

February 20, 1855.*

From Dr. STONE.

13. PUBLIC ENTERTAINMENTS.—No branch of the temperance reform has more thoroughly succeeded than that which has had reference to public entertainments. It is only, I think, since the time of Mayor QUINCY, Jun., now about eight years, that the public dinners of this city have been prepared upon a temperance plan. And at this time nearly all the great public festivals and entertainments in this vicinity, at which several hundred people are expected to be present, including the time-honored Commencement Dinner of Harvard University, are conducted upon temperance principles, no beverage being provided but lemonade, water, and coffee. The transformation of public opinion that would allow of this change has only been gradually achieved. But its accomplishment has been the result of the expenditure of much labor, time, and money.

14. POSITION OF WORKINGMEN.—Not many years since, many artisans and employées, such as shoemakers, stage-drivers, etc., were habitually accustomed to drink freely *Now*, the practice has much abated, and we even hear of Stage-drivers' Temperance Conventions; while the money formerly devoted to the purchase of liquor is now used to elevate them into a higher position in society, and to satisfy those wants which that higher position originates.

February 21, 1855.†

15. Boston has taken the lead in an excellent temperance movement which deserves particular mention. A city ordinance prohibits the smoking of pipes, cigars, etc., in the public streets of the city. The annoyance to which persons are always subject in other cities by the air being loaded with poisonous smoke, is an infringement on the right of the citizen to fresh air which should not be tolerated in any community professing to maintain the common rights of mankind.

* From *The Maine Law Illustrated.* † *Ibid.*

Chapter Fourteen.

The temperance cause in Massachusetts has reached a crisis which has no parallel in its past history. The time for relying upon expostulation and remonstrance has passed by, and the hour for action has come.—HON. HORACE MANN, *June* 21, 1852.

WORCESTER COUNTY.

The German and Irisn population most difficult to control by law—Population.

BLACKSTONE.—From Mr. WILLIAM TEBB:—Population—Period of enforcement—Cost of liquor in Blackstone—The results of drinking—The recent convictions—The public peace—Appeals.

MILFORD.—Population—From Rev. J. T. WOODBURY:—Period of operation—Crime—Public health—Trade—The Sabbath—Attendance at church—Public opinion—Convictions under the Maine Liquor Law—No open sale.—From Rev. D. H. PLUMB:—Crime—The Sabbath—Public opinion—Open sales of liquor prevented.

TEMPLETON.—Population—From Rev. L. SABIN:—Period of enforcement—The traffic nearly exterminated—Beneficial to the community—The Sabbath—Attendance at church—Public opinion.

WORCESTER CITY.—Population—From Rev. T. W. HIGGINSON:—New city government—The Carson League.

1. THE various sections of a State offer obstacles, peculiar to themselves, to the efficient operation of the Maine Liquor Law. Perhaps there is no more difficult class to control than the Germans, and next to them the Irish, who form combinations among their respective countrymen to evade the law, and to defeat the ends of justice by either refusing to give evidence or swearing falsely. This is the case in many parts of Worcester County; but the more stringent law just passed is expected to reach even these difficult cases. In other respects the law has been pretty well enforced in this county, and even the evasions alluded to are carried on privately, and do not assume the character of public sales.

2. Population 130,789.

BLACKSTONE.

3. Population of the township 6,000.

From Mr. WILLIAM TEBB.

4. PERIOD OF ENFORCEMENT.—Only within the last few weeks.

5. COST OF LIQUOR IN BLACKSTONE.—The liquor-sellers have filled their coffers with the price of blood in open defiance of such law as has been enacted, and held a carnival of triumph, declaring tauntingly, that the law

was powerless and could never affect their interests. At a public meeting held recently in this town, to inquire into the causes of the poverty around, it was stated that ten thousand dollars a year were spent in intoxicating liquor, and every effort made to alleviate the poor must be futile until this liquor traffic was stopped. So notorious has rum-drinking been here, that the district attorney, at the trial of some liquor cases, recently said, "It appeared to him that one half of the inhabitants of Blackstone were devoted to selling liquor, and the other half to drinking it."

6. THE RESULTS OF DRINKING.—From the police reports for the past year, it appears that out of thirty criminal convictions, twenty-five of them were directly traceable to rum-drinking. The overseer of the poor informs me, "of poverty and destitution, where it amounts to actual distress, nine tenths are caused by the frequent use of intoxicating liquor, and at least three fourths of the crime originate in the same cause.

7. THE RECENT CONVICTIONS.—A committee has been recently appointed by public meetings, and subscriptions raised to prosecute the rumsellers, and a vigorous crusade has been commenced. The number of cases already tried is sixteen; all except one have resulted in conviction. The whole sixteen rum-shops are now closed.

8. THE PUBLIC PEACE.—The result of the closing of the liquor-shops for good order, Sabbath observance, and morality is very manifest already.

9. APPEALS.—The liquor-sellers are using every effort, by the aid of able counsel, to quash the indictments against which exceptions have been taken, and the cases will be brought before the Supreme Court for final decision. The prosecutors, however, will meet them, inch to inch and foot to foot. The prosecuting committee are determined to pursue their course until by this or some other law the rum traffic will be entirely abolished.

February 12, 1855.

MILFORD.

10. Population 4,819.

From Rev. J. T. WOODBURY, Orthodox Congregationalist.

11. PERIOD OF OPERATION.—About two years and five months.

12. CRIME.—I estimate that crime has diminished in that period about fifty per cent.

13. PUBLIC HEALTH.—The general health of the community has improved beyond all doubt.

14 TRADE.—Legitimate home trade has been increased.

15. THE SABBATH.—The observance of the Sabbath has improved.

16. ATTENDANCE AT CHURCH.—The attendance at my church has been increased.

17. PUBLIC OPINION.—The general feeling of respectable citizens is greatly in favor of the law.

18. CONVICTIONS UNDER THE MAINE LIQUOR LAW.—Seventy com-

plaints were made against sellers of liquor in this town last spring, and in every case there was a plea of guilty on conviction without appeal, and over $700 were paid into the treasury of the town.

19. No OPEN SALE.—There is no open sale here; there is occasionally a conviction for secret sale. There is a communication by mail between this place and Boston three times a day that injures us, as drinkers send to Boston.

January 23, 1855.

From Rev. D. H. PLUMB, Universalist.

20. CRIME.—There has been a reduction in crime, as far as can be ascertained, of about twenty per cent.

21. THE SABBATH.—We think the observance of the Sabbath has been increased in consequence of the Maine Liquor Law.

22. PUBLIC OPINION.—Respectable citizens are generally in favor of the Maine Liquor Law.

23. OPEN SALES OF LIQUOR PREVENTED.—There is a large foreign population here, and the intemperance is chiefly among them. We think the Maine Liquor Law is useful in preventing them from selling openly, although they will sell secretly to a greater or less degree.

February 5, 1855.

TEMPLETON.

24. Population 2,173.

From Rev. L. SABIN, Congregationalist.

25. PERIOD OF ENFORCEMENT.—Since July, 1853.

26. THE TRAFFIC NEARLY EXTERMINATED.—Under the old law the traffic in intoxicating liquors had been nearly exterminated in this town before the new law went into operation with us. There is one part of the town where neither the old nor the new law has been fully enforced.

27. BENEFICIAL TO THE COMMUNITY.—The restriction of the traffic by the enforcement of prohibitory law among us has been highly beneficial to this community. It has evidently operated greatly to diminish crime and to promote the health, peace, and comfort of society.

28. THE SABBATH.—I am confident that the Sabbath is better observed.

29. ATTENDANCE AT CHURCH.—Numbers are regular attendants at my church now who were not likely to have attended any church if prohibitory legislation had not been employed to put a stop to the liquor traffic.

30. PUBLIC OPINION.—The general feeling of our virtuous citizens is strongly in favor of the Maine Liquor Law, and many feel that what we most want is an amendment to our present law, so that the man who gets intoxicated shall be compelled to testify, on becoming sober, where he obtained the liquor.

WORCESTER CITY.

31. Population in 1850, 17,049. In 1853, 20,751.

From Rev. T. W. HIGGINSON, Unitarian, formerly President of the Worcester Carson League.

32. NEW CITY GOVERNMENT.—We have chosen a new city government, which seems to be more active in suppressing the liquor traffic than its immediate predecessors.

33. THE CARSON LEAGUE.—The Carson League, under date of October 2, 1854, has reported, as a result of their labors, the following cases:

Convictions, 25 single sales, fines, and costs.....	$562 51
5 common sellers, " " "	549 56
	$1,112 07
Cases continued—15 single sales (if convicted), say.....	$200 00
7 common sellers (if convicted).....	750 00
	$2,062 07

Add to the above the fees paid by liquor-dealers to their counsel in these cases, which probably vary from $10 to $20, and we have a total sum, from $2,800 to $3,000, as the cost of these operations to the violators of law. Nearly all this work was done by the Carson League, in about four months, at a cost of about $300 to the members; and the *only reason* why they have not done more (except from the temporary absence of their agent, Mr. STOWELL) has been that *they had no more money to spend.* Moreover, the above statement does not include the cases which went no farther than the Police Court, of which there were some. Several houses have been entirely broken up, including one of the most notorious for rumselling, gambling, and gross licentiousness. At their own expense, and under great obstacles, the members of the League have carried on an extensive and successful series of prosecutions. At a cost of $300 they have put from $1,000 to $1,500 into the public treasury. It is not now necessary to discuss whether the public authorities ought to have done this work; the fact is clear that the Carson League *has* done it. The first operations of the League created a terror among the liquor-dealers, leading to a whole system of concealment. Those who are dissatisfied with the mode in which evidence has been obtained, are not probably aware that *the choice lay between that evidence and none.* If they are aware of it, they must decide for themselves the question, whether to leave the liquor traffic unchecked, or to have purchases made, for the purpose of obtaining testimony. The simple fact is, that the Carson League is a *volunteer police*, and no police operations could proceed a day without resorting to such means as are here employed. It was very unwillingly that the officers of the League were convinced of this; but being convinced, there was but one course to pursue, and they have pursued it. But they have taken as much care as possible to employ no agents without careful inquiry into their habits and purposes; and it is believed that

no one has been employed who has not acted under a sincere desire to serve the cause of temperance.

February 24, 1855.

34. The only county from which we have received no account of the results of the Maine Liquor Law in Massachusetts is that of Nantucket, situate on the island bearing that name, some distance from the eastern shore of Massachusetts, and containing a population of 8,452. From the fact that its neighboring island of Martha's Vineyard is a thorough prohibition island, we may infer that Nantucket is not far behind, especially as the latter has the honor of being the birth-place of that earnest temperance advocate, LUCRETIA MOTT [Chap. I., Sec. 15].

35. We submit that the facts recorded in these chapters on such good authorities are amply sufficient to disprove the numerous reports, manufactured in the rum interest, that in Massachusetts the Maine Liquor Law has been an entire failure. Although Paris may be, in a political sense, *France*, yet Boston is not Massachusetts, and there is moral strength enough in the country towns of this important Commonwealth to ultimately demolish the liquor traffic of the whole State.

RESULTS

OF

PROHIBITION IN MICHIGAN.

Chapter One.

The general conviction that this is a law called for, is important. On that account I am not sorry that we meet with checks and delays.—REV. HENRY WARD BEECHER.

STATEMENTS RELATING TO THE STATE.

The spirit and energy of the temperance movement in Michigan owing to the interest of the women—Gratitude to the women of Michigan—Population.

STATEMENTS OF THE GOVERNOR:—Submitted to the people—The vote of the people—Disagreement of the Supreme Court—A new liquor law for Michigan.—From Miss ANNE B. HENDERSON:—Period of enforcement—Decision of the Supreme Court—Public opinion.—From the Kalamazoo *Gazette*:—Nullification of the Liquor Law—How good citizens are attracted to a temperance State.

STATEMENT OF HON. F. J. LITTLEJOHN:—The proper form for a Maine Liquor Law.

1. THE State of Michigan is one of great spirit and energy in relation to the temperance movement, owing chiefly to the fact, that the women of Michigan take a deep and active interest in it. This is the only State in the Union from which women have responded to our inquiries, although we doubt not there are many temperance women in other States who would have done so could we have had the good fortune to find them out; we are no less grateful to those of Michigan who have done so much to aid us in obtaining information.

2. Population 397,694.

STATEMENTS OF GOVERNOR BINGHAM.

3. His Excellency Governor BINGHAM, in his Message to the Legislature of Michigan for 1855, made the following observations relative to the Maine Liquor Law in Michigan.

4. SUBMITTED TO THE PEOPLE.—An act was passed by your immediate predecessors, and approved on the 12th of February, 1853, "Prohibiting the manufacture of intoxicating beverages, and the traffic therein." The eighteenth section of the act provided for its submission to the electors of

the State for their approval or disapproval at a special election provided for that purpose on the third Monday in June subsequent to the passage of the bill. If approved by the electors, the twentieth section provided that the act should take effect on the first day of December thereafter.

5. THE VOTE OF THE PEOPLE.—The result of the election showed that the large majority of about 20,000 of the voters of the State were in favor of the law. So strong and unanimous was the public expression of its approval that the manufacturer and dealer in intoxicating drinks very generally made such disposition of their effects, and such arrangement in their business, as to submit like good citizens to the clearly expressed will of the majority, and allow the act to go peacefully into operation.

6. DISAGREEMENT OF THE SUPREME COURT.—A few, however, persisted in the violation of the law in the sale of intoxicating drinks, and their prosecution for the recovery of the penalties imposed, brought the question of its constitutionality before the Supreme Court for their decision. It is understood that the members of that body were equally divided upon that question—four of them sustaining the constitutionality of the law, while four of them believed that some of its clauses were unconstitutional. The unfortunate disagreement between the members of that high tribunal has practically nullified the law, and no effort has since been made to enforce its provision. The sale of intoxicating drinks has therefore since gone on as unrestrained as formerly, and the hopes of those who had relied upon this measure as an efficient aid in mitigating the wide-spread social evils, the domestic misery, the wretched pauperism, the shocking crimes, and the increased taxation which are caused by intemperance, and which are the sure results flowing from it, have been totally disappointed.

7. A NEW LIQUOR LAW FOR MICHIGAN.—It is confidently believed that a large majority of the most intelligent and respectable portion of community are still in favor of the passage and enforcement of a "prohibitory law," and that they regard such a measure as the only shield which will protect society against the terrible calamities which the unfortunate vice of intemperance occasions. I therefore recommend such legislative action on your part as will avoid the constitutional objections and the adoption of such other provisions as your wisdom may suggest, to enable this beneficent measure to go into full effect.

8. In response to this demand of the people of Michigan, expressed through their chief magistrate, the Legislature has this year passed a new prohibitory law which, it is believed, will obviate the difficulties of the former law which it is intended to supersede.

From Miss ANNE B. HENDERSON, Teacher, Allegan.

9. PERIOD OF ENFORCEMENT.—The Maine Liquor Law came into operation in this State December 1st, 1853.

10. DECISION OF THE SUPREME COURT.—On the 1st of February, 1854, there was a case of appeal to the Supreme Court, when there was an equal number of judges for and against the constitutionality of the Liquor Law. Those that were in favor of the constitutionality of the law were Judges WHIPPLE, GREEN, JOHNSON, and MARTIN, and those against its constitutionality were Judges WING, PRATT, DOUGLASS, and COPELAND. This decision, though by a tie vote, tended very much at the end of the first two months to defeat the purposes of the law.

11. PUBLIC OPINION.—Notwithstanding the unfortunate position taken by four of the judges, the people are strongly in favor of prohibition, and I sincerely hope that Governor KINGSLEY S. BINGHAM and the new Legislature will pass an act this winter which will stand, and obviate the objections of those four judges, or one more stringent, which will not allow the defendant to appeal from the Circuit Court to the Supreme Court. The fine for selling liquor must be made heavier in order to have the law obeyed.

December 20, 1854.

From the Kalamazoo *Gazette.*

12. NULLIFICATION OF THE LIQUOR LAW.—We apprehend that the effect of the late action of the Supreme Court in regard to the Liquor Law is misconceived by many. Some of the Detroit papers, we see, state that it virtually nullifies the law, and will lead to infinite confusion. One paper says, the bench being equally divided, that when a case is taken up by a defendant from the decision of a circuit court where the judge is favorable to the law, that this judge having no voice in the case when it arrives in the Supreme Court, the four judges opposed to his view will reverse his decision and nullify the law; and further, that the people, not being allowed an appeal, will be left entirely remediless. This view is simply ridiculous. The Supreme Judiciary of the State are preparing to enact no such farce as this. The vote given, although a tie one, affirms the constitutionality of the law just as effectually as a unanimous vote would have done. There can be no half-way business in the matter. Courts are governed by arbitrary rules. A tie vote effectually decides a case one way or the other. It would be a strange doctrine that an act of the Legislature could be overruled by a tie vote of the Supreme Court. It is surely giving that body sufficient authority to overturn the legislation of the people, in a clear and distinct case, where a majority of the judges decidedly concur. The power of the judiciary to over-ride the legislative department of the government is one most jealously guarded, and to be exercised only in cases almost or wholly clear of doubt. Any other rule would give the Supreme Bench a power over the Legislature absolutely dangerous to our liberties. No: the action of the judges has sustained the act most unequivocally. Were the Detroit editor's view the true one, it would bring our whole system of government into contempt. An editor is under a deep responsibility, and is highly culpable for uttering loose and unstudied opinions on important subjects. To our certain knowl-

edge the editor's remarks referred to, have misled the minds of some among us, if they have not incited to a direct violation of the law.

13. HOW GOOD CITIZENS ARE ATTRACTED TO A TEMPERANCE STATE.—"I have come with my wife and children to make my home in Michigan," said a gentleman to us a few days since, "on no other account but the large vote given by your people in favor of the Maine Law. I had supposed before that vote that the moral tone of society here was below that of the Eastern States, and never could consent to come to this State with that impression on my mind. But the unexpected and overwhelming vote in favor of the anti-liquor law dispelled the illusion, and created so strong a hope in me that here my children would be placed beyond the reach of temptation from the destroying beverage, that I have brought them into your midst, determined to cast my worldly hopes and fortune, as well as theirs, among you; and many more in the Eastern States, to my knowledge, are preparing to do the same, and all on account of that noble vote given by your people." This is a most gratifying view of the subject, and if no other recommendation were applicable to this great moral movement on the part of our people, this alone would overbalance all the minor objections that have been raised to it. This favorable impression we have created abroad, it should be the effort of every good citizen to see maintained and deserved.

STATEMENT OF HON. F. J. LITTLEJOHN.

14. THE PROPER FORM FOR A MAINE LIQUOR LAW.—I would exclude from this bill every provision having reference to the manufacture. My position on this bill is easily defined. I am in favor of a stringent law, entirely prohibiting the traffic in intoxicating liquors as a beverage. I am for declaring such traffic to be a crime, indictable and punishable as such. Whether the charge be for selling as a beverage a glass of brandy or glass of cider, let the person convicted be sent to the county jail for one hundred days, and, my word for it, your work is done.*

* Speech in the Legislature of Michigan in the last session's debate on the Liquor Law.

Chapter Two.

The seal of everlasting reprobation and abhorrence upon this traffic is, that it has no redeeming qualification. It never has done man any good, and from the nature of the case it never can.—HON. MARK DOOLITTLE, of Massachusetts.

ALLEGAN COUNTY.

Some good accomplished, notwithstanding the disagreement of the court—Population—From the Allegan *Journal*:—Turning the "critter" out of doors—Prosperity of the county.

ALLEGAN CITY.—Population—From Miss ANNE B. HENDERSON:—Period of enforcement—Public health—Trade—The Sabbath—Attendance at church—Licenses abolished—Population increased—The Otsego women vindicated.—From Mrs. SINCLAIR NICHOLS:—Public health—Reclaimed from intemperance—Trade—The Sabbath—Attendance at church—Public opinion.

OTSEGO.—Population—From G. S. WHITEMAN, Esq.:—Horrible effects of drinking—The women enforcing the law—The rum-dealers violating their pledge.

1. NOTWITHSTANDING the disagreement of the courts, good has been accomplished in Allegan County; and where the officers of the law have neglected their duty, the far more potent aid of woman has been enlisted, and prohibition secured.

2. Population 5,125.

From the Allegan *Journal*.

3. TURNING THE "CRITTER" OUT OF DOORS.—It is a source of no small gratification to us to notice that our hosts of the "Exchange" and "Allegan House" have turned the "*critter*" out of doors, notwithstanding the example of their brother landlords of Kalamazoo, and other places, who, it is said, have resumed the sale of liquor on constitutional grounds.

4. PROSPERITY OF THE COUNTY.—By the way, the improvement, above referred to, is suggestive of the general and increasing prosperity of our county. Every day brings additions to our population, while the covered wagon of the immigrant, preceded by the patriarch of the family, with his rifle on his shoulder, and followed by his drove of young stock, has become a sight so common in our streets as to excite no remark. Having business to transact at our county offices a day or two since, we found the throng of strangers looking up titles, paying taxes, and examining the maps, so dense, that we were obliged to give it up. That "good time has come!"

November, 1854.

ALLEGAN CITY.

5. Population in 1850, 752; in 1855, 2,000.

From Miss ANNE B. HENDERSON, Teacher.

6. PERIOD OF ENFORCEMENT.—Since December 1st, 1853. It has been enforced in this town, although it has been declared a dead letter in the State of Michigan.

7. PUBLIC HEALTH.—The health of this locality has improved.

8. TRADE.—The legitimate home trade has greatly increased owing to the Maine Liquor Law.

9. THE SABBATH.—The observance of the Sabbath has also greatly increased; for those who used to frequent the tavern and the groggeries may now be seen attending the house of worship.

10. ATTENDANCE AT CHURCH.—The attendance at church has been increased without doubt.

11. LICENSES ABOLISHED.—I have lived in Allegan fourteen years, and I do not remember when there was a license to sell liquor in the town. There are two taverns, but no liquor is now sold at them, and there are no groceries in which liquor is sold by the glass or quantity. If there be any sold it is smuggled.

12. POPULATION INCREASED BY THE MAINE LIQUOR LAW. — This year the population of Allegan has nearly doubled, from 1,000 to 2,000. I understand emigrants are coming in every week, and about every day the emigrant wagon may be seen going past, and I may truly say it is owing to the Maine Liquor Law. It is this which brings the emigrants here, for many are heard to say, "Your Maine Liquor Law brought me here."

13. THE OTSEGO WOMEN VINDICATED.—This evening I attended a meeting in Allegan in vindication of the course taken by the women of our adjoining town, Otsego. A president, secretary, and committee of three were appointed to present resolutions. The Hon. Judge BOOTH said the women of Otsego had adopted a declaration of rights, in which they stated that they will continue to work for the cause of temperance till the traffic in liquor is suppressed.

December 20, 1854.

From Mrs. E. SINCLAIR NICHOLS, Presbyterian. Engaged in training and educating the rising generation.

14. PUBLIC HEALTH.—The health of the community in relation to fever, insanity, etc., has improved in a remarkable degree.

15. RECLAIMED FROM INTEMPERANCE.—Three or four persons have been reclaimed from intemperance to my personal knowledge.

16. TRADE.—The legitimate home trade of the town has increased.

17. THE SABBATH.—To all appearance the observance of the Sabbath has also increased.

18. THE ATTENDANCE AT CHURCH.—The attendance at our church has been increased to a remarkable degree, in consequence of the taverns and groggeries having lost their attractions.

19. PUBLIC OPINION.—All our respectable citizens are in favor of the law.

OTSEGO.

20. Population 818.

From G. S. WHITEMAN, Esq.

21. HORRIBLE EFFECTS OF DRINKING.—Otsego has been noted for drunkenness for many years past. One year only has elapsed since one man became so much intoxicated that he fell into the fire—no one being in the room at the time—consequently he became literally roasted before he was discovered.

22. THE WOMEN ENFORCING THE LAW.—Notwithstanding the above horrible death, those rumsellers continued their hellish traffic up to the present time, when the women of this place, fired up with holy indignation, arose in their strength, with a fixed determination to dam up those streams of liquid fire that have so much cursed the inhabitants of our village. Some of the women who have taken the foremost ranks in the glorious battle with rumsellers, are wives and mothers who are so unfortunate as to have drunken husbands; and these objects of pity have frequently plead with tears in their eyes, with rumsellers, to desist from selling liquor; but their bitter lamentations were unheeded. As these pleas were unavailing, they thought they would try what virtue there was in edged tools. On the 12th of December, about eight o'clock, P. M., the husband of one of these women came home drunk, and the sorrow-stricken wife unbosomed her determinations to one of her neighbors, asking a young lad to go down town and ask for protection from personal harm, and she would do the work. Respectable and influential men readily complied with her request. She proceeded to the battle-field in company with another lady who has a drunken husband, and the men who volunteered. They entered one of the rum-holes with axes in hand; they plied their axes to the liquor barrels, which emptied them of their contents. The fire-poker was then called into battle, which caused a collision with the bottles in the bar, and resulted in a perfect smash up. They then proceeded to another establishment of wretchedness, but emptied no casks that night. The next night all the respectable women of the place met for consultation, and passed resolutions, some of which were to be carried into effect the next day. One was, that they would march in company to every grog-hole in the place, and present a pledge to every rumseller to sign, promising that they would sell no more liquor in six months, and if they refused to sign the pledge, that they would share the same fate of their comrade the night previous. This noble-hearted band of women formed in procession about eight o'clock, A. M., on the 14th, in connection with the men that had pledged them protection, and marched to the rum-shops. One rumseller saw them coming. He quailed before them, and locked himself up in his shop. They asked for admittance, but were refused. He was then told all they asked of him was to sign the pledge—telling him what the pledge was—but he refused to open the door. One of the women who was

successful in opening whisky barrels on the night of the 12th, smashed the door in; he saw that his doom was sealed; he cowered down like a whipped puppy, and readily signed the pledge. Others signed without much trouble. One other was obstinate (the landlord); he was determined not to sign the pledge. During the time they were delineating to him his destiny if he remained incorrigible, the merchant in the hardware store sent them a good supply of hatchets. They then gave him five minutes to make up his mind; the result was, he signed the pledge. Now they have a promise from every rumseller in Otsego that they will sell no more liquor for six months, giving them plainly to understand, if they forfeit their word, destruction awaits the contents of their rum-shops. On the night of the 15th, the gentlemen formed into an association, pledging their honor and their property to sustain the women in the position they have taken. Notwithstanding Judge PRATT has pronounced the Maine Law unconstitutional, *we* have a prohibitory law which is to live six months. The above is true to the letter. None but the most respectable women were associated with this company; some of them are in good standing in Christian churches. Success to the reformers.

December 17, 1854.*

23. The Kalamazoo *Gazette* of December 22d, after giving a similar account to the above, says:

The rum-dealers having disregarded their pledge, the ladies of the village turned out *en masse*, and visited every grog-hole in town, destroying their liquors wherever they could be found. With Judge PRATT we say, "God bless the ladies, they have done a glorious work." They have all the good men of community on their side

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Chapter Three.

The friends of temperance thought to accomplish their end by moral suasion, backed by powerful and well-directed arguments, showing the wickedness of the practice of rum-selling and rum-drinking. That to convince the seller of his wrong-doing would be sufficient to induce him to discontinue the practice and throw up his wicked business. But here the philanthropist found to his great disappointment and mortification, that so long as many of the innkeepers could make gain out of the traffic, they preferred that to the improved condition of their fellow-men.—NATHAN POWER, of Farmington, Mich.

KALAMAZOO COUNTY

Maine Liquor Law experience in Kalamazoo County—Population—From ELI P. MILLER, Esq.:—The two legislatures compared—Operation of the former law.

1. THE experience during the enforcement of the law in this county was evidently equal to that of any other Maine Liquor

* From the *Woman's Temperance Paper.*

Law State or county. The following contribution affords an intelligent view of the state of the Maine Liquor Law movement in Kalamazoo County, and, indeed, of the State generally.

2. Population 38,331.

From ELI R. MILLER, Esq., of Richland.

3. THE TWO LEGISLATURES COMPARED.—Our present Legislature is composed of very different men from the last; and while that body were constrained by the voice of the people to enact a prohibitory law contrary to the wishes and political hopes of a majority of its members, and in passing such law succeeded in introducing a feature of doubtful constitutionality, this body, on the contrary, have a working majority of true-hearted temperance men, whose sole object in making a law upon this subject has been to secure the passage of an act that will suppress effectually the manufacture and sale of intoxicating liquor. Such, we trust, will be the practical operation of the law recently enacted by the Legislature of this State.

4. OPERATION OF THE FORMER LAW.—I am able to state from personal observation, that the operation of our former law, during the brief period of its practical existence, was salutary in the highest degree, holding in check, in city, village, and hamlet, the monster intemperance, as no amount of moral suasion has ever been able to do. What, then, may we not hope to witness of its results when it shall become the settled and acknowledged law of the land?

February 1, 1855.

Chapter Four.

The *world* has raised its voice against the indiscriminate traffic in wines and spirits, and it seems to me that if health, morals, usefulness, and respectability are worthy of public consideration, and merit protection from an insidious foe, the Legislature would be criminally guilty in wholly disregarding a matter of such obvious importance.—HON. MR. DAVIS, Supreme Court, Mass.

LIVINGSTON COUNTY.

The women executing the Maine Liquor Law—Population.
HOWELL.—Population—From the Livingston *Courier*:—Maine Liquor Law etiquette.
PINCKNEY.—Population—From the *Woman's Temperance Paper*:—The influence of woman at elections.

1. THE women of Livingston County, like their sisters in Allegan County, have taken upon themselves the execution of the law. The officers of justice who have neglected their duty

ought to be made ashamed of their conduct in thus leaving to respectable females the rough work of seizing and destroying contraband liquor. Although the "due forms of laws" have not been observed in these cases, we do not doubt but as the spirit of the law was adhered to, the women will be sustained. Certainly no *men* would allow them to bear any legal expenses that may arise out of the proceedings.

2. Population 13,485.

HOWELL.

3. Population 1,155.

From the Livingston *Courier*.

4. MAINE LIQUOR LAW ETIQUETTE.—Our usually quiet and orderly little village was the scene of unusual excitement on Saturday last, produced by "a morning call" which certain of the ladies of Howell saw fit to make upon one of the liquor-sellers of this place. It seems that the husband of one of the ladies of our village, who was formerly a very hard drinker—at times a confirmed sot, abusive to his family, and an object of regret to all his friends and acquaintances, but who, when sober, is a man of talents and respectability—has been trying for a few months past to reform. He had stood firm for some time, but one day, or rather night, last week, he went home intoxicated. It is affirmed that he was urged, and especially enticed to drink, at first under the specious plea that he needed a little for his health, at the grocery where the "call" above mentioned was made. At any rate the story was credited, and it aroused a feeling of indignation which has resulted in the act which we are about to describe. A meeting of ladies was convened, and, after deliberation, and being assured by the wife of the individual referred to that no amount of remonstrance or entreaty would be likely to have any effect, as she had repeatedly begged and entreated the grocery man not to let her husband have liquor, it was resolved to proceed at once to the grocery and execute summary vengeance, by pouring the liquor into the street. Well, no sooner said than done. "Armed to the teeth," with implements more potent, as the sequel will show, than smiles and blandishment, they marched in solid phalanx, upward of thirty strong, straight to the grocery. It seems that Sam, not *the* "Sam," of whom every body has heard and not a few have seen, but our good-natured, fat Sam, the liquor-seller, had got wind of the meeting, and was rather expecting "a call," but a very different one from what he received. The ladies walked in, headed by her whose injuries they had resolved to redress. They were politely received by Sam. The understrappers and customers stood back, and all was still and silent as the battle-field of New Orleans when the British army was marching up to those famous breast-works of cotton. One of the number stepped upon a bench, and in a clear, firm voice read the res-

olutions which had been adopted—Sam all the while listening most attentively, expecting and prepared for a "war of words." But alas! for Sam, "deeds not words" was the order of the day. "Now go to work," was the order given; and never was order obeyed with more alacrity, not even the world-famous one of Wellington at Waterloo, "Up, guards, and at them!" Hatchets and hammers, until then concealed beneath the ample folds of shawls and cloaks were instantly brought into requisition, and smash, smash, smash—in went the head of cask after cask, and away went the liquor. Sam was taken completely by surprise, but he saw at once that "discretion was the better part of valor"—that resistance would be in vain. He knew enough of woman to know that when "she will, she will, you may depend on it." He is too much of a gentleman to strike a lady. And so, although he couldn't help swearing some—how could he?—when the liquor was all going to the d—l—he offered no violent resistance, and the work of demolition went rapidly on. Never before, in Howell, within the memory of the oldest inhabitant, has there been such a time—such a "mingling of *spirits*"—such a "fall of *whisky*"—such a "*brandy smash*"—such a "*flow of spirits*"—such an exposure to the light of day of the logwood and drugs found inside of the brandy casks. Not a cask, jug, or bottle was spared. Indeed, Sam was completely cleaned out When their work was done, the ladies retired, amid the cheers of some and the hisses of others, but quietly and unmolested. They subsequently dispatched a committee of their number to the other liquor-sellers in the village, requesting and urging them to desist from further "traffic in intoxicating drinks as a beverage," and politely intimating that in the matter of such "calls," they show no respect for persons. We are no advocates for, nor apologists of, Lynch law; and as the matter is likely to undergo judicial investigation, we forbear all comment. The ladies connected in the transaction are among the most respectable in the village.

March 13, 1854.

PINCKNEY.

5. Population 500.

From the *Woman's Temperance Paper.*

6. THE INFLUENCE OF WOMEN AT ELECTIONS.—There are many true women in Michigan; they are active in some places, and have the cause at heart. Two young ladies of Pinckney (and, by-the-by, they are *handsome* and the *first* in the village) went to the polls on election day and handed over *temperance tickets* to every one that could be induced to deposit them. They even went after a rumseller, one *lady* taking hold of one arm, and the other guarding him on the other side; in this manner they walked him to the *ballot-box*, and he, as a matter of course, deposited his vote for no rum.

January 1, 1855.

Chapter Five.

The right of the Legislature of any State to allow its citizens to trade in ardent spirits may well be questioned. To do so is, in my view, morally wrong. If the Legislature of a State permits by law a traffic which produces poverty, with all its sufferings; which corrupts the morals and destroys the health and lives of thousands in the community, they defeat the great and important end for which government was established.—HON. GEORGE SULLIVAN, of N. H.

OAKLAND COUNTY.

Historical interest of the county—Population.

FARMINGTON.—Population—From NATHAN POWER:—Period of enforcement—A marked change—Crime—Public opinion—Personal experience—Returned to old habits—A victim.

1. OAKLAND COUNTY has its historical interest in relation to this question of removing temptation to intemperance by legal enactments, as will be seen in the following statement.

2. Population 31,270.

FARMINGTON.

3. Population 1,844.

From NATHAN POWER, Farmer, member of the Orthodox Society of Friends for forty-three years.

4. PERIOD OF ENFORCEMENT.—The act of 1853 was in operation about two months.

5. A MARKED CHANGE.—A marked change for the better was apparent in all directions, and among the lovers of rum in particular. They did not return home from our village near as *smart*, nor stay as long as when under the old law of free trade in alcohol.

6. CRIME.—Crime was evidently on the decline during the observance of the law.

7. PUBLIC OPINION.—It can be said in truth that nearly all respectable persons of the different religious professions and of the political parties are of one mind and of one sentiment as to the law. Let it go into operation, be sustained, and work out its legitimate result, which will be to *prevent* crime of nearly every grade, and extreme pauperism in the country need hardly be known.

8. PERSONAL EXPERIENCE.—I have had charge of pretty extensive farming operations for thirty-three years. I have never found it necessary to procure a drop of ardent spirits to be used as a beverage.

9. The necessity for a prohibitory law to complete the reform-

ation of the intemperate and render them safe, is well exemplified by the following incidents:

10. RETURNED TO OLD HABITS.—Robert had been a man of intemperate habits for some years, but in the process of time was induced, through public sentiment, to leave off his cups. He become a sober man, and joined the Methodist Church. He was altogether reformed, and gave evidence of a Christian experience. The friends of sobriety would point the opponents of temperance to him as one of the trophies of the temperance movement. Time passed on for several years, in which he maintained his Christian character and integrity as a worthy man in the community; but after this some domestic trouble crossed his path, and, to the great disappointment of his friends, he returned to his old habits of drinking. He persisted in it for some time; the brethren gathered about him, and after much labor succeeded in staying the tide of dissipation for the time.

11. A VICTIM.—Benjamin, an old acquaintance of mine, had been sottish for more than twenty years. He had, as the saying goes, become entirely used up; but in his wanderings, after twenty-four years, he again entered my house; he looked deplorable indeed. A thought crossed my mind that something might be done for him, even at this late hour, in the way of reform. A proposition was made to employ him for one year, on condition of total abstinence. He readily consented, proved trustworthy and faithful to the utmost of his ability, which was that of a superior mind. He remained over one year, during which time he drank nothing that would intoxicate. Hope, on our part was strong that he would remain the rest of his life a reformed and reclaimed man. The temperance papers were read through the year. My sons would sometimes express doubts as to the truth of statements made in them. Benjamin would always defend the statements made in those papers, and declared that the truth of the misery and suffering caused by intemperance had never been told. He spoke from experience, and knew better than those who had never practiced in that direction. Benjamin was pleased with himself, and often spoke of the gratification he felt in being so long a sober man. We all had strong hopes that his reformation would be permanent, and carry him through life. After receiving the dues for his year's work, he went to Detroit, bought a suit of clothes, but here again he indulged in the intoxicating draught. He staid a few days there, and then went into an adjoining town to see his children (he being a widower), and in two weeks returned to our house with his best clothes gone, having been pawned for liquor; his looks and dejected countenance beggared all description. A maiden sister, to whom he was much attached, did what she could to improve his forlorn condition, while deep mortification sat upon his sad feelings, in spite of all that could be said to encourage him to an effort toward another trial of abstinence. In about a week he took an indirect course, and found himself again in Detroit, took up

his inebriate habit, and in a few days an abused constitution failed under the old treatment. He called at the door of a house, asked the keeper for something to eat, which was handed to him; he held it in his hand, looked at the cake, stepped a few yards on the walk, staggered and fell, and in a few moments expired. The coroner's jury returned a verdict of death occasioned by the excessive drinking of intoxicating liquors. The body was placed in a rough coffin, with his boots and old cap on. He filled a drunkard's grave in "the Potter's Field."

March 31, 1855.

Chapter Six.

"*Salus populi suprema lex.*" All laws for the restraint or punishment of crime, for the preservation of the public peace, health, and morals, are, from their very nature, of primary importance, and lie at the foundation of social existence. They are for the preservation of life and liberty, and necessarily compel all laws on subjects of secondary importance which relate only to property, convenience, or luxury, to recede when they come in contact or collision.—JUDGE GRIER.

ST. CLAIR COUNTY.

Rigid enforcement of the law in St. Clair County—Population.
PORT HURON.—Population—From the Port Huron *Commercial*:—Convictions under the Maine Liquor Law.
The thirty-nine other counties in the State.

1. THE enforcement of the Prohibitory Law in St. Clair County appears to have been rigid and in earnest. In proportion to this enforcement the results have been beneficial.

2. Population 10,420.

PORT HURON.

3. Population 2,302.

From the Port Huron *Commercial.*

4. CONVICTIONS UNDER THE MAINE LIQUOR LAW.—There have been sixteen prosecutions under the Prohibitory Liquor Law in this village; three imprisonments, and $180 collected as fines.

5. There are thirty-nine other counties in this large but thinly populated State. We must leave these to be judged of by the statements made respecting those already named.

RESULTS

OF

PROHIBITION IN RHODE ISLAND.

Chapter One.

Magna est veritas et prævalebit; which, in my poor knowledge of Latin, I translate: *Magna*, the Maine Law; *est*, is; *veritas*, true; *et*, and; *prævalebit*, it will prevail.—REV. DR. TYNG, New York City.

STATEMENTS RELATING TO THE STATE.

Rhode Island one of the first Maine Liquor Law States—Population—From Hon. W. R. WATSON, Secretary of State:—Period of enforcement—General effects of the law—State prisons, alms-houses, and lunatic asylums—the Sabbath—Attendance at church—Public health and peace—Opposition to the Maine Liquor Law—The Maine Liquor Law never recedes—No attempt at repeal—Prohibition of imports.—From Rev. JOEL MANN:—Decision of Judge CURTIS—Amendment of the law.

1. RHODE ISLAND has been among the first of the Maine Liquor Law States. It has struggled hard with the enemy of human progress in every shape and form, and, although the victory may not yet be complete, its achievements as a State are great, and deserve more space than we are able to devote to them.

2. Population 147,545.

From Hon. W. R. WATSON, Secretary of State.

3. PERIOD OF ENFORCEMENT.—Two years and a half.

4. GENERAL EFFECT OF THE LAW.—Its effect I can not doubt has been greatly to diminish crime, pauperism, insanity, and that long and dark catalogue of evils, moral, social, and physical, which result from intemperance.

5. STATE PRISONS, ALMS-HOUSES, AND LUNATIC ASYLUMS.—The statistics of these places here, as well as everywhere else, show conclusively that a very large proportion of the inmates of those abodes of misery are the sad victims of the intemperance of the past—this greatest of the evils which have afflicted our country. Whatever, therefore, operates to diminish intemperance, must necessarily largely and efficiently contribute to relieve society from its terrible consequences. As intemperance diminishes, the

number of State offenses decreases, the money, worse than wasted in intoxicating drinks, goes to purchase the necessaries of life; the cases of abject poverty, broken constitutions, ruined reputations, and blasted hopes, in many instances the immediate exciting causes of insanity and raving madness, are proportionably lessened. The moral and social condition of the community is thus improved and elevated, and individual comfort and public prosperity vastly promoted. Such has been the salutary operation of the enforcement of the Maine Liquor Law in this State.

6. THE SABBATH.—The Sabbath is better observed.

7. ATTENDANCE AT CHURCH.—The attendance upon Divine worship is increased.

8. PUBLIC HEALTH AND PEACE.—Its fruits have been good. The blessings of health, happiness, and peace; of drunkards redeemed and restored to their friends; of scattered families reunited and made happy; of neighbors, riotous and disorderly, made quiet and peaceable, which all flow from the enforcement of this law, would seem to attest the sanctity of a higher than human power, and demonstrate its accordance with natural and Divine laws.

9. OPPOSITION TO THE MAINE LIQUOR LAW.—It is true that this law has had to contend against severe and various opposition in this State, as it has done and must do everywhere. It has had to combat long and inveterate individual habits, and old, time-honored customs. It has had to encounter the heartless avarice of those who were engaged in the liquor traffic. It has had to work its way through all the formulas and technicalities of the old imported English common-law, and all the delays, quibbles, and subtilties of those whose business it is to interpose between violated law and merited punishment. But it has generally triumphed, and its course is now onward, "conquering and to conquer."

10. THE MAINE LIQUOR LAW NEVER RECEDES IN PUBLIC ESTIMATION.—There is a remarkable fact which stands out prominently in the history of this law wherever it has been tried, and that is, IT NEVER RECEDES. Its onward course has ever been steady and sure. It holds every inch of ground it gains in public opinion, and, in the face of the strongest opposition, it works its way quietly but calmly to general adoption and final acquiescence. This fact clearly proves that its appeal to the moral sense of men and communities is irresistible. The general feeling of respectable citizens in this State is decidedly favorable to the law. It has been repeatedly subjected to all kinds of popular tests, and has always commanded large majorities in its favor.

11. NO ATTEMPT AT REPEAL.—It was enacted by our Legislature in January, 1852, by a decided majority. The question has since been submitted to a direct vote of the qualified electors of the State, whether this law should be continued or not, which resulted in an overwhelming majority in favor of its continuance; and in the two legislatures which have been

elected since its passage, there have been such large majorities favorable to it that no *attempt*, even, has been made to effect its repeal.

12. PROHIBITION OF IMPORTS.—I believe that the success of this law is destined to achieve very great and beneficial results, moral, social, and political, to this State, and to all other States which shall be wise enough to adopt it. And when it has been adopted by, and done its good work in, a large majority of the States of this Union—as I believe it will ultimately—its friends will be prepared to march upon the Capitol and demand of Congress that the importation of all wines and other liquors, whether in large or small packages, shall be wholly and forever prohibited. When this shall have been accomplished—as accomplished, I trust, it will be—the last fortress of the worst foe to individual happiness and public peace in our country *will have fallen.*

December 18, 1854.

From Rev. JOEL MANN, S. Kingston.

13. DECISION OF JUDGE CURTIS.—The decision of Judge CURTIS rendered the law inoperative last year.

14. AMENDMENT OF THE LAW.—The new temperance Legislature, last winter, repealed the objectionable section, and made the law so perfect that even the ingenuity of lawyers can not evade it.

January 2, 1855.

Chapter Two.

It being admitted that the use of this article is destructive to health, reputation, and property, it follows, conclusively, that they who make and sell it sin with a high hand against God and the highest interests of their fellow-men.—HON. CHIEF-JUSTICE DAGGETT.

NEWPORT COUNTY.

Newport County long accustomed to prohibition—Population.

JAMESTOWN.—Population—From Rev. GEO. ANTHONY:—Period of operation—Ten years' experience—Consumption of liquor.

1. IT appears that Newport County has long been accustomed, in some parts at least, to prohibition, and was consequently well prepared for the Prohibitory Law.

2. Population 20,007.

JAMESTOWN.

3. Population 358.

From REV. GEORGE ANTHONY, Episcopalian.

4. PERIOD OF OPERATION.—Twenty-two months.

5. PROHIBITION OF TEN YEARS' EXPERIENCE.—Not a single drop of liquor has been sold in this town, to my knowledge, within the last ten years. There is no place where it is sold.

January 3, 1855.

Chapter Three.

The Maine Law may be expounded in two sentences: The traffic in liquor is a public crime. The crime of liquor-dealing shall be subject to the same legal process as other public crimes.—REV. HENRY WARD BEECHER.

PROVIDENCE COUNTY.

The work of prohibition accomplished much for the prosperity of the people—Population—County jail.

PROVIDENCE CITY.—Population—Statement of the Mayor:—Penalties of the old laws too light—Prevention better than cure—The greatest good to the greatest number—The watch-house—Public opinion—Butler's Hospital.—From Mr. WM. TEBB:—General results—Crime—Groggeries closed, and the results—The moral influence of the Maine Liquor Law—No riots and brawls—Public feeling.

1. ALTHOUGH not complete, the good work in Providence County has accomplished much that will tend to secure prosperity and happiness to the people.

2. Population 87,526.

3. COUNTY JAIL:

Committals from July 19 to October 19, 1851	161
" " " " " 1852	99
Difference in favor of the law	62

PROVIDENCE CITY.

4. Population in 1850, 41,513. In 1853, 47,560.

STATEMENT OF THE MAYOR.

5. Soon after the passage of the Prohibitory Law in Rhode Island, H. A. C. BARSTOW was elected mayor of Providence, and he referred to the law as follows:

6. PENALTIES OF THE OLD LAWS TOO LIGHT.—At the last session of our Legislature a law was passed for the suppression of drinking houses and

tippling shops, which is to go into operation on the third Monday of July next (1852). Our present laws prohibit the sale of spirituous liquors as a beverage, except when the freemen of the towns, by vote, allow their town council to license the traffic; but the penalty for their violation is so light as to render them entirely worthless in this city or in the densely populated towns. The law which is soon to go into operation, contains a variety of features more stringent than were ever embodied in any former legislation upon this subject. Heretofore we have sought to regulate this traffic by law, now we seek to suppress it. It is believed that a wise and firm enforcement of this law will soon suppress the traffic in these liquors to a great extent, and thus rid our city of much of the alarming amount of evil resulting therefrom.

7. PREVENTION BETTER THAN CURE.—As it is better, and in the experience of a sister State (where a similar law is in operation) cheaper, to prevent the evils resulting from this traffic than to punish the crimes and alleviate the poverty and distress occasioned by it, I shall deem it my duty to see that this, as well as every other law, is justly and impartially enforced. I trust that those who have been engaged in this traffic will deem it a matter of policy and duty to yield a quiet submission to the law, and thus save the magistrate the necessity of performing a disagreeable duty. The law must be honored, either in its observance or in the infliction of its penal sanctions. Every interest of society demands it; every sentiment of my heart approves it. I deem it my duty, thus early, to make the announcement, that all may have timely warning.

8. THE GREATEST GOOD TO THE GREATEST NUMBER.—The execution of this law may seem hard and oppressive to a few who are engaged in this traffic, but they must bear in mind that the want of such a law has been esteemed a greater hardship by a multitude who either directly or indirectly have suffered by it. Under our happy government, law is the will of the people constitutionally expressed. All government necessarily abridges individual liberty. Living in a state of nature, a man's rights may be measured by his might; but in voluntarily entering a state of society, he agrees to unite with others in fixing rules for the government of the whole. If any of these rules in their operation bear with undue severity upon himself, he has a legal remedy; or if in their just execution they limit or restrain his liberty too far, to suit his taste, or supposed interests, he may choose another society more congenial to his feelings. If, however, he continues in the society, he is bound, as a good citizen, to respect its rules and bow with proper submission to its decrees. Private interest must yield when the public good requires it; and the individual who resists the law in any other than a constitutional way, on the ground of private right, commits treason against the State, shows himself unworthy of the society which has hitherto sheltered and protected him, and as a transgressor of one law, cuts himself off from all claim for protection under any other.

9. These were the opinions of the mayor prior to the enforcement of the law. After it had been in operation three months, he published the following statistics, showing that the law in that short time had made a reduction of nearly 60 per cent. in monthly committals.

10. THE WATCH-HOUSE:

Committals to the watch-house for drunkenness, and small assaults growing out of drunkenness, from July 19 to October 19, 1851	282
Committals to the watch-house for corresponding months of 1852	177
Difference in favor of the law	105

11. BUTLER'S HOSPITAL.—The number of insane persons in this hospital has been reduced about one fifth.

12. PUBLIC OPINION.—Our law is well sustained by the people. The leading men in the State have sustained it, some from policy, but I have no doubt the great majority from principle. We feel that the law is so thoroughly established on our statute-book that no party or combination dare attempt to repeal it. Our Legislature, which are now in session here, are strongly in favor of it, and I have no doubt its good results will be more felt when we have had a longer trial of it.

February 27, 1855.*

From Mr. WILLIAM TEBB, late of Providence, now of Blackstone, Mass.

13. GENERAL RESULTS.—The results of the Maine Liquor Law in this city have been very happy.

14. CRIME.—Notwithstanding the want of vigilance on the part of the authorities to enforce a strict observance of the law, and the continuous efforts made by individuals interested in the sale of liquors to put it down, and to turn out from their pestilential pandemoniums men beastly drunk, as a living testimony that the law is violated, yet it is a fixed and established fact, proved from the police reports and citizen testimony, that there is less crime, more public order, and the number of debauchees retained in "durance vile" for disobeying laws human and divine, is sensibly diminished.

15. GROGGERIES CLOSED, AND THE RESULTS.—In one district in this city, on the west side, from the bridge to India Point, a distance of about half a mile, there were, previous to the passage of the Maine Liquor Law, two hundred groggeries, from the gilded saloon and painted bar-room, where men could get "respectably inebriated," to the garret or basement, noxious with filth, and reeking with the strychnine—drugged *delirium tremens*-producing distilled poison, vended to the candidates for our states prisons, penitentiaries, alms-houses, and gallows. These are now among "the things that were," and no one fears to perambulate the district by

* In *The Maine Law Illustrated.*

night, although it was once the terror of the peaceably disposed citizens. No respectable citizen doubts the origin of this improved state of things.

16. In another district, near the Woonasquatucket Print Works, there stands a row of cottages, which, I am credibly informed by residents, three years ago were, without exception, miserable rum-holes, where the hard-earned gains of the neighboring mill-hands were spent, to the occasion of an immense amount of wretchedness, poverty, and crime. The children were neglected, and grew up in squalid misery and ignorance, and the Sabbath was desecrated by family feuds, dog-fights, gambling, and all manner of abominations. This locality is now comparatively respectable. A Congregational church has been built in the neighborhood, which is well attended. A Sabbath school has been organized, and the ragged, home-neglected offshoots of crime are taught the great truths of human redemption from sin. The teachers have informed me it is painful to witness the moral destitution of the scholars, compared with those living in more favored districts; and more: the marks of rum-influence stamped upon the countenances of many, which years of careful training under opposite influences will be required to eradicate.

17. THE MORAL INFLUENCE OF THE MAINE LIQUOR LAW.—I have no hesitation in saying that this city owes much to the Maine Liquor Law. It is exerting a wholesome influence, not only on our own people, but on the citizens of other States, who, on visiting Providence, invariably express their high admiration of its morality, temperance, and public order.

18. NO RIOTS AND BRAWLS.—There are now no firemen's riots, and fewer street brawls than in any city I have ever seen of a similar population, either in England or in the United States.

19. PUBLIC FEELING.—The general feeling of our citizens is often expressed in the exclamation, "God be thanked for the Maine Liquor Law!"

December 23, 1854.

Chapter Four.

I fully believe that as certain as is the establishment of Protestant American liberty over this whole continent, so certain is the enactment of that which is called the Maine Law by a free people for the protection of the rights, privileges, and the existence of their community.—REV. DR. TYNG, New York City.

WASHINGTON COUNTY.

Many years experience in prohibition—Population—From Rev. JOEL MANN:—The county jail—Crime.

KINGSTON—Population.—From Rev. JOEL MANN:—Extent of the town—Former character of the town—Long experience in prohibition—Public health—Reclaimed from intem-

perance—Trade—The Sabbath—The church—Public opinion—Prohibition the only effectual remedy—The Maine Liquor Law a paramount support to temperance—The two other counties.

1. WASHINGTON COUNTY, like Newport County, has had many years experience in liquor prohibition, and the results are most gratifying.

2. Population 16,430.

From Rev. JOEL MANN, South Kingston.

3. THE COUNTY JAIL.—The county jail, since I have been here, has been nearly empty, often entirely so—sometimes one prisoner, sometimes two. It has two now.

4. CRIME.—Since the reform above described has taken place, the decrease in crime, as is shown by the jail returns, has been very great in this region.

KINGSTON.

5. Population of township, about 7,000.

From Rev. JOEL MANN, Congregationalist, South Kingston.

6. EXTENT OF THE TOWN.—This town is about eleven miles square, embracing a number of villages. It has six post-offices.

7. FORMER CHARACTER OF THE TOWN.—Formerly this town was notorious for intemperance.

8. LONG EXPERIENCE IN PROHIBITION.—In this township the sale of intoxicating liquors had been proscribed and prohibited for years before the enactment of what is called the Maine Liquor Law. With great unanimity, year after year, the town had refused to grant licenses, and those who were known to sell liquors were prosecuted and fined. We had, therefore, virtually, a prohibitory law before it was enacted in Maine.

9. PUBLIC HEALTH.—I have been told that in the days of rum-drinking malignant fevers were very frequent and fatal; but they are of very rare occurrence now—scarcely enough to keep physicians informed of the manner of treating them. I have no recollection of a case of bilious or typhoid fever in this village since I resided here, and there has not been a death in this village since a year ago last August—one year and four months.

10. RECLAIMED FROM INTEMPERANCE.—A large number of drunkards have been reclaimed during the period already described.

11. TRADE.—There has been a great increase in the manufacturing interests, and great improvement in husbandry, in buildings, and every thing indicating prosperity within the last seven years. Five new factories have been erected, and others enlarged.

12. THE SABBATH.—The observance of the Sabbath has greatly increased in the same period. We need further improvement in this respect.

13. THE CHURCH.—The temperance reformation commenced in real

earnest fifteen or twenty years ago, and it has been an efficient helper in the cause ever since.

14. PUBLIC OPINION.—There is general approval of the Maine Liquor Law here. If respectable citizens do not approve of the reformation they are wise enough to keep silent. No one dares to open a place for rum-selling or be known in the business any way.

15. PROHIBITION THE ONLY EFFECTUAL REMEDY.—More than twenty years ago I took the position, in an address before the Westchester County Temperance Society, that a strict prohibition under heavy penalties was the only effectual remedy for the mighty evil of rum-selling and rum-drinking. This has been my doctrine in other addresses since, where I have resided. I have regarded most of the legislative enactments restricting, curtailing, and regulating the sale of spirituous liquors as mere efforts to stave off the main question and quiet the people, when it must have been known that it would accomplish nothing for the eradication of the evil. It is a subject for devout thanksgiving that the people at last see what is the real and only remedy for one of the most terrible evils which has afflicted mankind, and are determined to have it; and that the time has come for legislative tinkering on this subject to cease. A strictly prohibitory law, boldly maintained and faithfully executed, is the only remedy.

16. THE MAINE LIQUOR LAW A PERMANENT SUPPORT TO TEMPERANCE.—Although the work in this town was in a great measure completed long before the Prohibitory Law was enacted, *that law helps us to hold what we had gained.* The reformation would have been completed much sooner if neighboring towns and a neighboring State had not counteracted the efforts made for universal temperance by furnishing the poison to those who were determined to have it.

January 2, 1855.

17. There are two other counties, Bristol and Kent, with a population respectively of 8,514 and 15,068, from which we do not happen to have yet received information. We presume the law is equally effective there as in the counties from which returns have been received.

RESULTS

OF

PROHIBITION IN VERMONT.

Chapter One.

I am satisfied that a direct temperance issue throughout the State would give a two-thirds vote in favor of prohibition.—HON. ZIMRI HOWE, of Castleton, Vermont.

STATEMENTS RELATING TO THE STATE:—Advantages of prohibition enjoyed by the people of Vermont—Population.

STATEMENTS OF EX-GOVERNOR EATON:—Influence of the law—Bitter opposition—Opposition temporary—The law necessary to advancing civilization—Party politics given up for temperance.

STATEMENT OF MR. J. L. ADAMS, OF BURLINGTON:—Power required to enforce the law—No reaction.

1. SINCE 1852, when the Prohibitory Liquor Law was enacted in this State, temperance and its attendant blessings have been largely enjoyed by the people. The proximity of Vermont to the British Provinces and to States where liquor could be obtained, has considerably diminished the advantages which would otherwise have arisen; but from the returns we have received, it is evident that greater health, brisker trade, more peaceable and orderly Sabbaths, less crime and litigation, reclamations from intemperance, the naked clothed, the hungry fed, the slave of appetite set free, homes made happy that were formerly the abodes of misery, and numerous other fruits of prohibition, are among the results visible in the State of Vermont.

2. Population 314,120.

STATEMENTS OF EX-GOVERNOR EATON.

3. INFLUENCE OF THE LAW.—That the law has exerted an immense influence, and accomplished great good, is as plain to him whose eyes are not resolutely closed to the light of truth, as is the light of the sun to him who opens, at mid-day, eyes that have not been deadened and darkened by paralysis or vailed by cataract.

4. BITTER OPPOSITION.—Yet, on the other hand, I would not overstate the amount of what the law has actually accomplished. Enacted as it was, and executed as it has been, in defiance of the strong and bitter opposition of a portion of the community, no one would suppose that in the short space of a few months it could have exerted in full its beneficent influence. And besides, so vast is the magnitude and extent of the evil to be removed, no reasonable man could expect to see the whole work accomplished in a single year, even under the most favorable auspices.

5. OPPOSITION TEMPORARY.—I have remarked that the law was passed in the face of opposition, and has had opposition to encounter in its execution. But this, as a temporary affair at least, is no more than was expected here—no more than was expected everywhere. Any barrier or hindrance raised in the way of a profitable traffic, no matter how pernicious and unholy, has in every age encountered bitter opposition, and been met with vigorous, if not, indeed, furious and lawless efforts to break it down. And even those who manufacture and sell that liquid poison, which works out such deadly ruin to both body and soul, we may expect will, if their employment is disturbed, be no less "full of wrath," and utter their cry of remonstrance in no less angry tones than did those who made silver shrines for the Ephesian goddess. Indeed, they will tell us, not simply as did DEMETRIUS, that "by this craft" they have their "*wealth*," but rather will declare that their very "*living*" depends upon it. Yet, granting it true that they could live in no *other* way, is it so very desirable that the race of those thus employed should be perpetuated, that we must quietly endure the sore evils we suffer at their hands? We believe, however, that they need not die of starvation, though they should change their pursuit; that the employment may be put down without killing off the individuals who have followed it. Indeed, we should wish they *might* live, to repent of the evil they have done.

6. THE LAW NECESSARY TO ADVANCING CIVILIZATION.—That the adoption of regulations, such as we have resorted to, is the point to which all advancing and improving society is steadily tending, I have not the slightest doubt. And hence, "to this complexion" Pennsylvania, and every other State in the Union "must come at last," if they are to make any substantial progress toward a higher and more perfect civilization.

7. PARTY POLITICS GIVEN UP FOR TEMPERANCE.—The enactment of the Maine Law in this State has unquestionably, as a primary effect—though for the *future* I fear not—operated to the prejudice of the political party to which I must admit myself still attached. But I rejoice that what has been lost to mere party has nevertheless been more than gained to the wide interest of humanity. The welfare of society, indeed, has been promoted on a broader scale of beneficence than any simple political organization could aspire to reach. And hence, neither the politician nor the

philanthropist has any occasion to deplore the result of this prohibitory enactment.

December 8, 1853.*

STATEMENTS OF MR. J. L. ADAMS, OF BURLINGTON.

8. POWER REQUIRED TO ENFORCE THE LAW.—Five energetic men can enforce the law in any locality in our State.

9. NO REACTION.—I may say there is no place in this State where a reaction has taken place against the law, and there is no danger of a reaction against the law, for its friends are gradually increasing, and its beneficial effects are becoming generally felt. These will secure its enforcement.

February 28, 1855.†

Chapter Two.

Nearly the whole civilized world now concedes that the traffic in intoxicating liquors is a crime against society. It is disproved of by man, and stands condemned by the great moral Judge of the universe, whose purity can not countenance such *manifest* and *admitted* wrong. It is an inhuman traffic, a moral crime, that grows blacker and more hideous the more it is contemplated, and the more its horrid effects become visible.—HON. MR. BURKE, of New Hampshire.

ADDISON COUNTY.

Absence of all appearance of drunkenness—Population.

ADDISON CITY.—Population—From Rev. PALMER C. HINNEY:—Period of enforcement—Public health——Trade—The Sabbath—Attendance at church—Public opinion—Kept sober.

BRISTOL.—Population—From Rev. STILLMAN MORGAN:—Period of enforcement—Crime—Litigations—Trade—Public health—Reclaimed from intemperance—The Sabbath—Public opinion—Obtaining rum under false pretenses—Perfectly sober—Absence of drunkenness.

1. THE absence of all appearance of drunkenness in this county is a striking fact in this interesting history. In New York, at the present period [March, 1855], we can not pass along Broadway at any time of the day or night without meeting persons who can not keep themselves from "reeling to and fro" upon the pavement. But here in Vermont such a sight would cause very considerable consternation. The fact that

* In Journal of the *American Temperance Union.*

† In *The Maine Law Illustrated.*

every person found drunk, when the law came into operation, was taken into custody, and remanded until he disclosed of whom he obtained the liquor, will probably account for this present freedom from intemperance.

2. Population 26,569.

ADDISON CITY.

3. Population 1,279.

From Rev. PALMER C. HINNEY, Baptist.

4. PERIOD OF ENFORCEMENT.—Two years.

5. PUBLIC HEALTH.—The general health of the community has improved.

6. TRADE.—The farmers in this locality thrive now at railroad speed.

7. THE SABBATH.—Sabbath observance is increasing.

8. ATTENDANCE AT CHURCH.—The attendance at my church is one fourth more than before the law went into operation.

9. PUBLIC OPINION.—All respectable citizens are in favor of the law.

10. KEPT SOBER.—A son, within my limited observation, has been enabled, by the aid of the Maine Liquor Law, to keep his father sober, while without it, he would have continued a confirmed drunkard.

December 30, 1854.

BRISTOL.

11. Population 1,344.

From Rev. STILLMAN MORGAN, Congregationalist.

12. PERIOD OF ENFORCEMENT.—Two years.

13. CRIME.—During the above period crime has diminished seventy-five per cent.

14. LITIGATIONS.—These are now unknown. Our lawyers have a grand resting time.

15. TRADE.—Our large village is now a quiet business place. The increase in trade has been great.

16. PUBLIC HEALTH.—The general health of the community has made great and astonishing changes for the better.

17. RECLAIMED FROM INTEMPERANCE.—I know from my own personal observation, three old drunkards reclaimed by the operation of the Maine Liquor Law, and more than twenty young men saved by it.

18. THE SABBATH.—The observance of the Sabbath has unquestionably improved.

19. PUBLIC OPINION.—The general feeling of respectable citizens is so favorable to the law, that they would no more think of repealing it than of repealing the moral law or any law against theft or burglary.

20. OBTAINING RUM UNDER FALSE PRETENSES.—One man who obtain-

ed rum under false pretenses got drunk. I took him into my sleigh and carried him home to his newly-married wife. When he got sober, he was so frightened for fear the "Maine Liquor Law folks" would take him and make him tell where he obtained his liquor, that he picked up his alls and moved off to a State where they had no such law. He told me he should never be found so again.

20. PERFECTLY SOBER.—Another man was put into jail for being drunk, and when he became sober he disclosed as to where he obtained the liquor. He then went home, and for about two years has been perfectly sober.

21. ABSENCE OF DRUNKENNESS.—We no more expect to see a man drunk now than we expect to see one attempt to crawl into the mouth of a cannon when it is about to be fired.

February 8, 1855.

Chapter Three.

The time will come when reflecting men will as soon be caught poisoning their neighbors' wells as dealing out to them intoxicating liquors as a beverage.—CHANCELLOR WALWORTH.

CALEDONIA COUNTY.

Perfection of the work in Caledonia County—Population—From JOSEPH IDE, Esq., J. P:—Jail tenantless—The penitentiary—Crime in the State.

BURKE.—Population—From Mr. RENSELEAR TUTE:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—Attendance at church—The Sabbath—Public opinion—Prosecutions under the Maine Liquor Law—The traffic stopped.

ST. JOHNSBURY CENTRE.—Population—From JOSEPH IDE, Esq., J. P.:—Period of enforcement—Crime—Public health—Reclaimed from intemperance—The Sabbath—Public opinion—Convictions—Seizure—Amendment to the law.

1. THE fact that the jail of this county is tenantless of prisoners convicted of any crime ordinarily arising from intemperance is the best possible proof, not only that the Prohibitory Law is in operation, but that it has accomplished its work to perfection in this county.

2. Population 23,595.

From JOSEPH IDE, Esq., Justice of the Peace, St. Johnsbury Centre.

3. JAIL TENANTLESS.—I can only say that the jail in this county was tenantless in December last. I believe there are now two prisoners incarcerated, and that for passing counterfeit money.

4. THE PENITENTIARY.—Our penitentiary contained, at the time of the

report of the commission in 1853, a little over ninety convicts. The report in 1854 reduces the number to a little over sixty.

5. CRIME OF THE STATE.—I believe that crime throughout the State has diminished since the passage of the Maine Liquor Law in a much greater proportion than what is indicated by the above statements in reference to this county.

February 16, 1855.

BURKE.

6. Population 1,103.

From Mr. RENSELEAR TUTE, Grand Scribe of Vermont Sons of Temperance; Merchant; Methodist.

7. PERIOD OF ENFORCEMENT.—Since 1852.

8. CRIME.—There has been a diminution of crime.

9. PUBLIC HEALTH.—The general health of the community has im proved in a good degree. I think one half.

10. RECLAIMED FROM INTEMPERANCE.—In this small town I should think there are perhaps ten who were not reclaimed by moral suasion, but who have now become sober.

11. ATTENDANCE AT CHURCH.—The attendance at my church has increased.

12. THE SABBATH —The Sabbath is better observed.

13. PUBLIC OPINION.—All the respectable citizens are in favor of the law. In fact every body, except those who wish to sell rum for gain, or those who have an unaccountable love for the "critter," are in favor of the law.

14. PROSECUTIONS UNDER THE LAW.—One man in this town had his liquor seized and destroyed. He was carried to jail, found guilty, and imprisoned for three months. He has behaved better since. Several have been prosecuted, fined, etc., and they have then generally given up the business.

15. THE TRAFFIC STOPPED.—In this town are three villages; seven stores, and two taverns. Now there is no liquor sold, unless it be a little at one corner of the town, and that under pretty dark cover.

March 17, 1855.

ST. JOHNSBURY CENTRE.

16. Population 2,758.

From JOSEPH IDE, Esq., retired Merchant; Justice of the Peace; Baptist.

17. PERIOD OF ENFORCEMENT.—A little over two years.

18. CRIME.—There has been a diminution, I think, of more than fifty per cent. of crime.

19. PUBLIC HEALTH.—The health of the community has improved in relation to the diseases caused by intemperance, fifty per cent.

20. RECLAIMED FROM INTEMPERANCE.—A vast number of drunkards and constant rum-drinkers have been reclaimed, from the fact that they

can not obtain the article to cause intoxication. They might return to drinking if the law were repealed.

21. THE SABBATH.—The observance of the Sabbath has, I think, increased to some extent.

22. PUBLIC OPINION.—The general feeling of respectable citizens is almost universally in favor of the law.

23. CONVICTIONS.—In one instance complaint was made to me of an individual for selling liquor contrary to law. I issued a warrant and had the man arrested, and he pleaded guilty on five charges, and I fined him $50 and costs. That effectually broke up the traffic in this place.

14. SEIZURE.—In another instance I issued a search warrant and seized a quantity of rum and gin at our depôt, condemned it, and it was destroyed.

25. AMENDMENT OF THE LAW.—The law is now less stringent than it was then, having been amended in 1853, the result of a rum Governor and Legislature. I have no doubt the next Legislature will cure the evil and restore it brighter than before.

February 3, 1855.

Chapter Four.

We owe it to our history, to our free institutions, and above all to Him whose benignant providence has so richly blessed us, that we purify our laws. If men will engage in this destructive traffic, if they will stoop to degrade their reason and reap the wages of iniquity, let them no longer have the law-book for a pillow, nor quiet their conscience by the opiate of a court license.—HON. MR. FRELINGHUYSEN.

CHITTENDEN COUNTY.

The law well enforced—Population.

STATEMENT OF MR. J. L. ADAMS, county clerk:—The law working well.

BURLINGTON.—Population—From Mr. J. L. ADAMS:—Enforcement of the law—Testimony of the Grand Jury—Opponents becoming friends—The traffic works its own destruction—Cost of the traffic—Catholic Bishop in favor of the law—Testimony of the overseer—The incorrigible rumsellers giving up—Ex-liquor merchants becoming friends.—From Mr. MOSES L. CHURCH:—Fifty groggeries closed—Seizures—Commitments under the law—Vigilance committee—Pleased with the law—Public opinion—Economy of the law—No drunkenness.—From Professor PEASE:—Public sentiment—Drinking disreputable—Effects of the law on the University.—From Rev. Mr. YOUNG:—Wisdom and efficiency of the law—Results highly beneficial—No invasion of the fireside—The Sabbath—Public opinion—Public tranquillity.

1. THE law has recently been well enforced in this county, and the change in Burlington, especially, does great credit to the law and its friends there.

2. Population 29,036.

STATEMENT OF MR. J. L. ADAMS, COUNTY CLERK.

3. THE LAW WORKING WELL.—Last week I was through several places in the county, and I found the law working well.

BURLINGTON

4. Population 6,110.

From J. L. ADAMS, County Clerk, one of the first friends and the first advocates of the law in this State, and in New York State.

5. ENFORCEMENT OF THE LAW.—I am pretty well acquainted with the workings of the law. In this town, a year ago this winter, the law was well enforced, and the town was never before so quiet and so orderly as it was last summer. The difference was so great as to excite remark both among the friends and foes of the law.

6. TESTIMONY OF THE GRAND JURY.—The Grand Jury, not composed of friends of the law, but a body appointed to note offenses against the laws generally, in their last report say: "We would also say that we feel highly gratified to find the jail destitute of inmates, a circumstance attributable, in a very great measure, we believe, to the suppression of the sale of intoxicating liquors."

7. OPPONENTS BECOMING FRIENDS.—One of the strongest and best evidences that can be given in favor of the law is the fact, that many men who were not only opposed to the law in feeling, but publicly advocated the other side, have conquered their prejudices, and are now among the highest contributors to the fund for its enforcement. We were told that the law could not be enforced, and that whoever attempted to do so would subject himself to loss and to the hatred of society, and every other thing conceivably bad. A few of us, however, took hold of it, and although we met with considerable opposition at first, we found no difficulty in enforcing it ultimately.

8. THE TRAFFIC WORKS ITS OWN DESTRUCTION.—A very painful instance occurred here about a year ago: A gentleman of respectable standing in society, but addicted to intemperance, was found dead one morning in front of his own door, in a little ditch with just as much water as would suffocate him. It was believed, from the attendant circumstances, that coming home to his own house late in the night in a state of intoxication, as he was too much in the habit of doing, he had stumbled and fallen into the ditch face downward, and not having sufficient strength to rise, had thus closed a miserable existence. This melancholy circumstance caused considerable excitement in the city, and roused the friends of temperance to a sense of their duty in regard to the law. A public meeting was called, and numerously attended, and a series of stringent resolutions passed pledging the meeting to use every exertion to get the law enforced. These resolutions were approved of by nearly all the respectable people in Burlington, and they determined to use both money and influence to make the law

effective. Having obtained a long list of names and subscriptions, we said to the officers: "Now these persons have pledged themselves to support the law by all honorable means; if you don't enforce it, we shall show you at the ballot-box whether we think you are entitled to the position you hold. If you have any extra trouble, we will pay you for it; if any one attempts to bring odium upon you for discharging your duty, we will stand by you." In consequence of this stand we have had no further trouble, and everywhere the law is popular in proportion as it is effectively carried out. Last week I was through several places in the county, and I found the law working well.

9. COST OF THE TRAFFIC.—We had one or two houses in this city whose annual sale of liquor was, five years ago, supposed to average $50,000. This last year the town agent of Burlington reports sales for all purposes to the amount of $4,000.

10. CATHOLIC BISHOP IN FAVOR OF THE LAW.—In this city the Roman Catholic Bishop participates heartily in the progress of the movement. He is in favor of enforcing it stringently, and thunders against those who oppose it.

11. TESTIMONY OF THE OVERSEER.—A year ago, when the law was much less enforced, the overseer of the poor told me it had reduced the poor-tax at least $500. It will be more this year, although provisions are very high this winter.

12. THE INCORRIGIBLE RUMSELLERS GIVING UP.—The law has already rid us of some incorrigible rumsellers; the lowest of that low class seem to have become resigned to their fate.

13. LIQUOR MERCHANTS BECOMING FRIENDS.—Some of the members of what has been for the last twenty-five years the largest liquor-house in Burlington are now contributors to the fund for the enforcement of the Maine Law. When the law adopts the principle of regulating the traffic, it becomes with such persons a matter of dollars and cents; but the moment you make the sale a violation of law, self-respect steps in and the business must be given up. The large house of PECK & Co. said, "We wish to be honorable men and good citizens, and the moment you pass this law we will give up the traffic." Men of standing in society can not take any other course. The moment you say to a respectable man that "Pat Grogger and you stand upon the same plank," you are not sheep-stealers it is true, but you are law-breakers, you touch his self-respect, and he is forced to say, "I can stand it no longer."

February 28, 1855.*

From Mr. MOSES L. CHURCH, resident in Burlington for the last fifteen years, and most of the time connected with the town affairs.

14. FIFTY GROGGERIES CLOSED.—I have seen in this city somewhere about fifty places for the open sale of intoxicating liquors, and now we have

* From *The Maine Law Illustrated.*

not one open house. There are several low Irish dens where I believe liquor is still got, but we catch them up pretty quick.

15. SEIZURES.—We made a seizure the other day of nine barrels at the railway depôt, labeled to four or five different Irish houses in town that we had reason to suspect sold liquor. The trial has not yet come on; but one of the Irishmen stated, that as it was "hard time," if they could make a little money selling rum it was nobody's business. He will likely get a different lesson by-and-by.

16. COMMITMENTS UNDER THE LAW.—We have four or five persons in jail at present for violation of the law; they were tried, convicted, and fined, and in default committed.

17. VIGILANCE COMMITTEE.—About a year ago we had a public meeting, and appointed a vigilance committee to go round and raise money for the enforcement of the law, to pay counsel and all other necessary expenses; and you may judge of the feeling in favor of the law when, in a short time, we had 1,000 names on the subscription list.

18. PLEASED WITH THE LAW.—I was never a strictly temperance man, but I became satisfied that it was necessary to do something to check the spread of intemperance, and that to get a good wholesome state of society in Burlington we must shut up all the groggeries. I must say that I am very much pleased with the law, and the more stringent you make it the better will it be received by the community.

19. PUBLIC OPINION.—You will not find a respectable man in Burlington who is opposed to the effective enforcement of the law.

20. ECONOMY OF THE LAW.—I am one of the selectmen, and we have concluded that when this law is thoroughly carried out our poor-taxes will be reduced about $1,000 a year. This winter, as provisions are very high, we have not saved so much as that, but if it had been an ordinary year we would. There is one thing that presses a little upon that fund that we will by-and-by get quit of. If a man is committed for violating the law we have to support his family. But we tell them that we will rather support them and their families too, than have to support other forty who would be sent to jail through their instrumentality.

21. NO DRUNKENNESS.—You might stay here for a month and you would not see a drunken man in this city. Burlington was in my day one of the most drunken places in Vermont, and now it is one of the most sober, law-abiding places you can enter.

February 28, 1855.*

From Professor PEASE, Burlington University.

22. PUBLIC SENTIMENT.—The sentiment of the most respectable classes of society is uniform, both in regard to the practicability and the desirableness of the law. We all agree in thinking that the practicability of the

* From *The Maine Law Illustrated.*

law has been tested here. Our particular location, with a rum-depôt on the other side of the lake, has placed us somewhat in unfavorable circumstances; but even with that drawback, the effects of the law are manifested in the diminution of intemperance; in the strengthening of the hands of temperance men, and encouraging them in their work. I think the sentiment is gaining ground in favor of the law. A few years ago most people thought the law was likely to be received with prejudice by one class of the community—those who only occasionally indulged in liquor; yet that class have assented to the favorable working of the law throughout the community. There are few exceptions to prevent this remark being universally applicable.

23. DRINKING DISREPUTABLE.—Drinking, where it is still continued, will be confined to the class of secret indulgences which some people will now and again practice; but it will be ranked by the community with licentiousness and every other vice.

24. EFFECTS OF THE LAW ON THE UNIVERSITY.—With respect to its effects upon our own institution, I can safely say there is a very great diminution in the use of liquors by the students. Some five or six years ago we were much troubled with cases of intemperance among our students. Since the law passed there has been a great improvement. Though we have no doubt it is still used in a secret manner by some of the students, from the effects which sometimes manifest themselves, yet there is none of it used openly. We find the results of the law in that respect highly beneficial. We have not had for a year past any of that kind of rowdyism which is sometimes manifested among students in such an institution as this. These noises grow mostly out of intemperance, for if students drink, they will be noisy in some shape or other.

February 28, 1855.*

From Rev. Mr. YOUNG.

25. WISDOM AND EFFICIENCY OF THE LAW.—I am of opinion that the law is wise and efficient, and, as far as one can reasonably expect, effectual.

26. RESULTS HIGHLY BENEFICIAL.—So far as my observation goes, I am persuaded that its operations are highly beneficial; in fact, it is accomplishing as rapidly as could be expected the work intended to be accomplished. I think the longer it is in operation the more numerous are its friends.

27. NO "INVASIONS OF THE FIRESIDE."—I have not heard of any instance of hardship by the privacy of any dwelling-house being invaded by the officers of the law. I do not believe that any instance of this kind has occurred, for it is well known, as a general thing, where liquor is sold.

28. THE SABBATH.—I have no doubt at all of the better observance of the Sabbath in consequence of the enforcement of the law, and I am quite satisfied of the greater peace of the community.

29. PUBLIC OPINION.—The feeling of the respectable classes is decidedly

* From *The Maine Law Illustrated.*

in favor of the law. About a year ago I preached a rather plain-spoken discourse, urging, as strongly as I could, the enforcement of the law. The sermon was much better received by my congregation than I had anticipated. Several gentlemen of prominence in my congregation declared their feelings in regard to it very strongly, and in such a way as I had not been accustomed to.

3. PUBLIC TRANQUILLITY.—I have no fears whatever that the enforcement of the law will be detrimental to the peace and happiness of the community. I entertain feelings the very reverse. I am convinced that public peace and domestic comfort will be greatly promoted wherever the law is strictly enforced. We are annoyed here a little at present by our border States, New Hampshire and New York, but this annoyance will soon cease.

February 28, 1855.*

Chapter Five.

Our law has performed all that its warmest friends could expect.—HON. ZIMRI HOWE, of Castleton.

RUTLAND COUNTY.

Practical adoption of the prohibitory principle before the Maine Liquor Law was enacted—Population.

CASTLETON.—Population—From Hon. ZIMRI HOWE:—The law done wonders—Public sentiment—Opposition—Seizures.

PITTSFIELD.—Population—From Rev. C. WALKER, D.D.:—Period of enforcement—Trade—The Sabbath—Public opinion—The prohibition of former laws—Sending to New York—Open sales abolished—A great blessing.

RUTLAND CITY.—Population—From Mr. JAMES BARRITT, merchant:—Working of the law—Law requires additional powers—No open sale—Public opinion.—From Hon. ZIMRI HOWE, of Castleton:—No difficulty in enforcing the law—Braggadocio of the enemy.—From Mr. TRUEBRIDGE:—Effect of the law on railroad laborers.

1. THE returns from Rutland County show that the principle of prohibition has long been practically adopted in many parts of the county; that the force of public opinion, in its influence on the municipal authorities of each town, has been sufficient to effect great changes for the better, preparing the way for a complete recognition of the principle by the laws of the State.

2. Population 33,059.

CASTLETON.

3. Population 3,016.

* From *The Maine Law Illustrated.*

From Hon. ZIMRI HOWE.

4. THE LAW DONE WONDERS.—The law is evaded privately, but it has really done wonders here. Our Irish population, some of them at least, go to the State of New York, and get quantities of five gallons or so, and deal it out among one another. They are a class of people that you can make nothing of, and they have nothing to lose.

5. PUBLIC SENTIMENT.—Public sentiment in this place is altogether in favor of the law.

6. OPPOSITION.—There is no opposition among the respectable portion of the community. The only opposition is among that low class of foreigners who get the liquor into their shanties, and drink with one another.

7. SEIZURES.—We had to make several seizures here at first, and we spilled a good deal of liquor, but we have had no occasion to make a seizure for nearly twelve months. The people have somehow made up their minds to obey the law. Take our own native population, and the law is adhered to as strictly in this place as anywhere in the State; but these foreigners slip over to the State of New York and get their liquor, and then come back and trouble us.

February 27, 1855.*

PITTSFIELD.

8. Population 512.

From Rev. C. WALKER, D.D., Congregationalist.

9. PERIOD OF ENFORCEMENT.—About two years and a half.

10 TRADE.—There has been some increase in the legitimate home trade of the village.

11. THE SABBATH.—The observance of the Sabbath has also increased.

12. PUBLIC OPINION.—The feeling of respectable citizens is decidedly in favor of the law.

13. THE PROHIBITION OF FORMER LAWS.—There has been a great change for the better in the drinking habits of the community within twenty years; but most of the changes occurred before the Maine Liquor Law was passed by our Legislature, under the influence of public opinion, and the partial prohibition of former laws.

14. SENDING TO NEW YORK.—Those who would drink before the Maine Liquor Law came into operation, do for the most part contrive to obtain their filthy beverage by sending privately, or in companies, to the State of New York to obtain it. Still the law has a good influence.

15. OPEN SALES ABOLISHED.—The law wholly prevents open sales. It restrains secret selling, and makes it dangerous and unprofitable, as some have found when their liquors have been seized and poured out in the street.

16. A GREAT BLESSING.—Our Maine Liquor Law is a great blessing;

* From *The Maine Law Illustrated.*

and when they get such a law in the neighboring States of New Hampshire and New York, it will be difficult for present transgressors to continue to use that which leads to their ruin.

February 17, 1855.

RUTLAND CITY.

17. Population 3,715.

From Mr. JAMES BARRITT, Merchant.

18. WORKING OF THE LAW.—The law is working well here, and we have done a good deal in the way of seizure.

19. LAW REQUIRES ADDITIONAL POWERS.—There are some points of the law, however, that would require to be remedied, if the neighboring States do not pass a law, because it is landed here by railway and by express-men, although we have no place for the open traffic.

20. NO OPEN SALE.—I think there were upward of twenty houses for selling liquor in Rutland before the passing of the law; now we have no place whatever for open sale, although there are places where it is said to be sold privately, though we have no proof as to where they are.

21. PUBLIC OPINION.—The feeling of the community is with us. Our selectmen are all temperance men; and when we have a vote of any kind in any town meeting upon the temperance ticket, we have always over three fourths of the voters with us. The town of Rutland contains now about 6,000 inhabitants.

February 27, 1855.*

From Hon. ZIMRI HOWE, of Castleton

22. NO DIFFICULTY IN ENFORCING THE LAW.—Rutland has been, perhaps, as hard a place as in the State; but they are doing a great work there, and there is now no difficulty in enforcing the law.

23. BRAGGADOCIO OF THE ENEMY.—A great many offered resistance; a man who kept a public house in Rutland prior to the passing of the law, swore that they should never search his house; but it was all braggadocio; he was brought up and fined, and made no resistance whatever; now he has left the tavern and *cleared out.*

February 27, 1855.†

From Mr. TRUEBRIDGE, Conductor of the Castleton and Washington Railroad.

24. EFFECT OF THE LAW ON RAILROAD LABORERS.—The law is producing a good effect upon our laborers on the road. We had a brakeman, one of the best men we ever employed for such a purpose, but unfortunately he was addicted to drinking. It being a danger to ourselves as well as a violation of the law to keep such a man on the road, he was discharged. Recently they have enforced the law with some determination in Rutland, and as liquor can not now be easily obtained, this brakeman made urgent application for his old situation. He was refused upon the ground that his drink-

* From *The Maine Law Illustrated.* † *Ibid.*

ing habits were such that the company could not with safety employ him. He said, "The temptation is now entirely removed; the cars remain at Rutland over night, and there I can not get a drop of liquor; I can and I will be sober if you give me one more trial." He was taken on, and has kept his word; for the last six months I do not think he has tasted intoxicating liquor.

February 28, 1855.*

Chapter Six.

We are asked if we will destroy property. If those who ask that question would but go to Greenwood, there they can learn of property destroyed. One immortal intellect is worth more than all this aggregate of poison which the Maine Law shall extinguish. Property! Come and see that father whose heart is wrung for a son almost destroyed by the poison, and then never again use the argument of property destruction against the Maine Law. Property has a right to protection only so far as it is harmless in its effects upon the people; but just the moment it is destructive to our best interests, then should its protection cease.—REV. THEODORE L. CUYLER, of New York City.

WINDSOR COUNTY.

Reclamations from intemperance account for the force of public opinion in favor of the Maine Liquor Law—Population.

LUDLOW.—Population—From Rev. H. H. BAKER:—Period of enforcement—Reclaimed from intemperance—Trade—The Sabbath—Public opinion—Hypocrisy an advantage to the public—Opposition from the clergy.

Counties not reported.

1. THE reclamations from intemperance in the County of Windsor are so numerous that there is no wouder that all the intelligent people there are in favor of the law. We have received no returns from Vermont which have not been as satisfactory as the following, and to add more would be but a repetition of similar statements.

2. Population 38,320.

LUDLOW.

3. Population 1,619.

From Rev. H. H. BAKER, Universalist.

4. PERIOD OF ENFORCEMENT.—Since March, 1852.

5. RECLAIMED FROM INTEMPERANCE.—The most reckless of the people have been restored, and many accustomed to drunkenness have been prevented from such indulgences.

* From *The Maine Law Illustrated.*

6. TRADE —There has doubtless been an increase in legitimate home trade.

7. THE SABBATH.—The observance of the Sabbath has decidedly increased.

8. PUBLIC OPINION.—The general feeling of respectable citizens is decidedly favorable to the Maine Liquor Law.

9. HYPOCRISY AN ADVANTAGE TO THE PUBLIC.—The Maine Liquor Law has cleared our bar-rooms of the tempting beverage, and made our innkeepers cautious in relation to brawls and disturbances about their premises; and although many are actuated by fear, and not by principle, and hence are deceptive, yet their hypocrisy is an advantage to the public.

10. OPPOSITION FROM THE CLERGY.—Some two or three clergymen opposed the Maine Liquor Law upon the ground, as they affirmed, of its unconstitutionality; but the fact was, the law was opposed to the appetites of their parishioners, and if they had advocated the law it would have been against their own *material* interests; hence they preached a few "temperance lectures," as they entitled them, taking the words of PAUL to TIMOTHY as their text: "Take a little wine for thy stomach's sake." One of these clergymen is gone into another State and into a strong temperance locality, and is now an advocate for the law. It is an old saying, "Like priest like people;" but it can be said in reference to some, "Like people like priest."

December 30, 1854.

11. We leave the other counties, Bennington, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans, and Washington to be judged of by the specimens here given. The limits of the work would not allow of devoting a chapter to each county of this State.

Part Fourth.

THE PROHIBITORY LIQUOR LAWS.

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THE

PROHIBITORY LIQUOR LAWS

OF

CONNECTICUT.

AN ACT FOR THE SUPPRESSION OF INTEMPERANCE.

Be it enacted by the Senate and House of Representatives, in General Assembly convened:

SECTION 1. MANUFACTURE AND SALE.—No person shall manufacture or sell by himself, his servant or agent, directly or indirectly, any spirituous or intoxicating liquor, or any mixed liquor of which a part is spirituous or intoxicating, except as is hereinafter provided. And Ale, Porter, Lager Beer, Cider, and all wines, are included among intoxicating liquors within the meaning of this Act.

SEC. 2. CIDER AND WINE.—Nothing contained in this Act shall be construed to forbid the making of cider from apples, or wine from grapes, currants, or other fruit grown or gathered by the manufacturer, or the selling of such cider and wine (if made in this State) by the maker thereof, provided only that the quantity sold at any one time be not less than five gallons, and be sold to be and be all taken away at one time. But any other sale of such cider or wine shall be deemed an unlawful sale within the meaning of this Act.

SEC. 3. IMPORTED LIQUORS.—Nothing in this Act shall be construed to forbid the sale by the importer thereof, of foreign spirituous or intoxicating liquor imported under the authority of the laws of the United States regarding the importation of such liquor, and in accordance with said laws, provided that the said liquor, at the time of said sale by said importer, remains in the original casks or packages in which it was by him imported, and in quantities not less than the quantities in which the laws of the United States require such liquor to be imported, and is sold by him in said casks or packages and in said quantities only.

SEC. 4. MANUFACTURERS BY AUTHORITY.—The County Commissioners of any County may, by certificates signed by all said Commissioners, give all persons who shall in writing apply to them therefor, authority to manufacture, at such places only, within said County, as said Commissioners shall in said certificate designate, spirituous or intoxicating liquors, and to sell the same in those places only, in any quantity, to duly authorized Agents of the several Towns in this State; but such authority shall not continue in any case longer than one year from the date of the certificate in that case given, and may be at any time revoked by said Commissioners: and no person shall receive such a certificate or exercise such authority until he shall

have executed and delivered to the Treasurer of said County a bond with two good and sufficient sureties, approved by said Commissioners, in a sum not less than one thousand nor more than six thousand dollars, as said Commissioners shall require, conditioned that he will not at any time during the year next following the date of his said certificate, infringe in any manner or degree any provision of this Act, or any law of this State, touching the manufacture or sale of spirituous or intoxicating liquors. If any person so authorized and bound shall break the condition of such bond, said bond shall be forthwith put in suit, his said certificate and authority shall instantly become void, and he shall not thereafter be permitted to manufacture or sell any spirituons or intoxicating liquor.

Sec. 5. Agents to Sell for Certain Purposes.—The Selectmen of any Town may, at any meeting of their board, duly convened upon reasonable notice to every member thereof, appoint some suitable person or persons as Agent or Agents of such Town, for the purchase of spirituous and intoxicating liquors, and for the sale thereof within such Town, for sacramental, medicinal, chemical, and mechanical uses only; and said Selectmen, or a majority of them, may remove any such Agent at pleasure and appoint another in his stead; but not more than three such Agents shall be in office in any Town at the same time, except in the Towns of Hartford and New Haven; and not more than eight such Agents shall be in office at the same time in either of the last-mentioned Towns. No innkeeper or keeper of a public eating-house or of a house of public entertainment shall be appointed such Agent. Every such Agent shall hold his office for one year, unless sooner removed; he shall sell such liquor only in the one place designated in writing by said Selectmen; he shall, in the purchase and sale of such liquor, conform to such rules and regulations as said Selectmen shall prescribe, not inconsistent with the provisions of this Act; he shall keep an accurate account of all his purchases and of all his sales, specifying in such account the kind and quantity and price of the liquor bought by him, the date of each purchase made by him, and the name of the person of whom such purchase was made, the kind, quantity, and price of liquor sold by him, the date of each sale made by him, the name of the purchaser at every such sale, and the use for which the liquor on every such sale was sold, as stated by the purchaser, and of all forfeited liquor by him received and sold or destroyed, which account shall be at all times open to the examination of the Selectmen, Civil Authority, and Grand Jurors of such Town; he shall, when required by such Selectmen, or a majority of them, account with them regarding all his dealings as such Agent, and exhibit to them all receipts, bills, books, and papers of every kind relating to such dealings or to his accounts; he shall sell said liquor at not more than twenty-five per cent. advance upon the cost thereof, and shall, when required by said Selectmen, pay over the proceeds of all his sales to the Treasurer of the Town; and he shall at every Town Meeting make a report, verified by his oath or affirmation, of all his purchases and the cost thereof, and of his sales and the proceeds thereof, specifying the number of sales, the respective quantities and kinds sold for each of the purposes of sacramental, medicinal, chemical, and mechanical uses, and the quantity and kind and cost of all liquors remaining on hand at the time of such meeting, and of all forfeited liquors by him received and sold or destroyed, which report, however, shall not specify the names of the persons to whom his sales may have been made. He shall receive for his services such fixed and stipulated compensation as said Selectmen shall prescribe, but the amount of such compensation shall not be increased by reason of any increase or diminution of the sales of such liquor

by such Agent; and he shall not be in any way, except as one of the inhabitants of the Town, interested in said liquor, or in the purchase or sale thereof, or in the profits thereon. If any person purchasing any spirituous or intoxicating liquor of such Agent shall intentionally make to such Agent any false statement regarding the use to which such liquor is intended by the purchaser to be applied, such person so offending shall, upon conviction thereof before any Justice of the Peace, forfeit and pay a fine of Seven Dollars to the Treasury of the Town, together with costs of his prosecution, and stand committed until judgment be complied with.

Sec. 6. Every such Agent shall receive from said Selectmen a certificate under the hands of said Selectmen, or of a majority of them, authorizing him, as Agent of such Town, to sell, at the place mentioned in such certificate, spirituous or intoxicating liquors for sacramental, medicinal, chemical, and mechanical uses only; but he shall not receive such certificate, or exercise his office, until he shall have executed and delivered to such Selectmen, for the use of the Town, a bond, with two good and sufficient sureties, approved by said Selectmen, in a sum not less than six hundred dollars, in substance as follows:

Know all men, that we, as principal, and and as sureties, are holden and firmly bound to the Town of , in the sum of dollars, to be paid to said Town; to which payment we bind ourselves, our heirs and executors, firmly by these presents.

Sealed with our seals, and dated at , this day of , A. D.

The condition of this obligation is such, that whereas the above bounden has been appointed an Agent for said Town of , to sell within and on account of said Town, spirituous or intoxicating liquors, to be used for sacramental, medicinal, chemical, and mechanical purposes only, until the day of , A. D., , unless he be sooner removed from his agency; now if the said shall in all respects conform to the provisions of the law in relation to his agency, and the laws of this State relating to the sale of spirituous or intoxicating liquors, this obligation shall be void.

Sec. 7. Penalty for Illegal Manufacture.—Every person who shall, in violation of this Act, manufacture spirituous or intoxicating liquor, or mixed liquor, of which a part is spirituous or intoxicating, shall pay, on his first conviction for said offense, a fine of one hundred dollars and the cost of prosecution, and in default of payment thereof shall be imprisoned sixty days in the common jail; on his second conviction for said offense he shall pay a fine of two hundred dollars and the costs of prosecution, and in default of payment thereof he shall be imprisoned four months in the common jail; and on every subsequent conviction for said offense he shall pay a fine of two hundred dollars and be imprisoned four months in the common jail.

Sec. 8. Penalty for Illegal Sale.—If any person in violation of this Act, by himself, his servant, or agent, shall, for himself or any body else, directly or indirectly, or on any pretense or by any device, sell, or in consideration of the purchase of any other property, give to any other person any spirituous or intoxicating liquor, or any liquor of which part is spirituous or intoxicating, he shall pay, on his first conviction for said offense, a fine of twenty dollars and the costs of prosecution, and shall stand commit-

ted until the same be paid; on the second conviction for said offense, he shall pay a fine of thirty dollars and the costs of prosecution, and stand committed until the same be paid; and on every subsequent conviction for said offense he shall pay a fine of one hundred dollars and the costs of prosecution, and shall be imprisoned in the common jail not less than three months nor more than six months. Every prosecution under this section, for a first or second offense, shall be heard and determined by a Justice of the Peace, and every prosecution for a subsequent offense shall be first brought before a Justice of the Peace, who shall thereupon proceed according to Section 148 of the Act entitled "An Act concerning Crimes and Punishments," page 254 of the Revised Statutes. All clerks, agents, and servants of every kind, employed in the selling or keeping for sale, in violation of this Act, of any spirituous or intoxicating liquor, or any mixed liquor, part of which is spirituous or intoxicating, shall incur the same penalties and be proceeded against in the same manner as principals, and may, in the information or complaint, be charged in the same manner, and be convicted, whether their principal be convicted or not. Whenever—upon the non-payment of the fines and costs provided to be paid upon conviction for the first and second offenses, under the 8th or 9th Sections of this Act—the offender shall be committed to the common jail, he shall not be released therefrom until he shall have paid such fine and costs, or shall have been detained in jail thirty days at least.

Sec. 9. Keeping Liquors for Sale.—No person shall own or keep any spirituous or intoxicating liquor, or any mixed liquor of which a part is spirituous or intoxicating, with intent to sell the same in violation of this Act; or to permit the same to be sold in violation of this Act; and every person who shall own or keep such liquor with any such intent, shall, on his first conviction for said offense, pay a fine of twenty dollars and the cost of prosecution, and stand committed until the same be paid; on his second conviction for said offense, he shall pay a fine of thirty dollars and the cost of prosecution, and stand committed until the same be paid; on every subsequent conviction for said offense he shall pay a fine of one hundred dollars and the cost of prosecution, and shall be imprisoned in the common jail not less than three months nor more than six months. Every prosecution under this section, for a first or second offense, shall be heard and determined by a Justice of the Peace; and every prosecution for a subsequent offense shall be first brought before a Justice of the Peace, who shall thereupon proceed according to Section 148 of the Act entitled "An Act concerning Crimes and Punishments," page 254 of the Revised Statutes. And upon the trial of every complaint for the violation of this or of the 8th Section of this Act, proof of the finding of the liquor specified in the complaint, in the possession of the accused, in any place except his private dwelling-house or its dependencies (or in such dwelling-house or dependencies, if the same be a tavern, public eating-house, grocery, or other place of public resort), shall be received and acted upon by the Court as presumptive evidence that such liquor was kept or held for sale contrary to the provisions of this Act.

Sec. 10. Appeals.—Any person may appeal from a final judgment rendered against him by a Justice of the Peace, for a first or second offense, under Section 8 or Section 9, to the County Court next to be holden in the county wherein said judgment may have been rendered; *provided*, that upon such appeal he shall give a bond of recognizance, with good and sufficient surety, to the Treasurer of said County, in such an amount as said Justice shall order, conditioned for his appearance before said County Court,

to answer to the complaint whereon said judgment has been rendered, and for his abiding the judgment that may be rendered thereon by said County Court.

SEC. 11. FORFEITURE OF LIQUORS.—All spirituous or intoxicating liquor, and all mixed liquor of which a part is spirituous or intoxicating, intended by the owner or keeper thereof to be sold, in violation of this Act, shall, with the vessels in which it is contained, be deemed a nuisance, and shall, with said vessels, be forfeited to the town wherein it is kept.

SEC. 12. SEARCH-WARRANTS.—If any three persons, of good moral character, residents in any Town, being of full age, shall, before a Justice of the Peace in the same Town, make written complaint that any spirituous or intoxicating liquor, or any mixed liquor of which a part is spirituous or intoxicating, described as nearly as may be in said complaint, is in said Town, in any place, described as nearly as may be in said complaint, owned or kept by any person described as nearly as may be in said complaint, and is intended by him to be sold in violation of this Act; and if said complainants shall, before said Justice, make oath or affirmation that they have reason to believe and do believe to be substantially true, the allegations in said complaint, said Justice shall (upon finding probable cause for said complaint) issue his warrant of search, directed to the Sheriff of the County, his Deputy, or either Constable of said Town, describing as nearly as may be the liquor and the place described in said complaint, and the person described in said complaint as the owner or keeper of said liquor, and commanding said officer to search thoroughly the said place, to seize the said liquor, with the vessels containing it, and to keep the same securely until final action be had thereon; whereupon said Sheriff, or any of his Deputies, or any Constable of said Town, to whom said warrant shall be delivered, shall forthwith obey, so far as he can, the commands of said warrant, and make return of his doings to said Justice, and shall securely keep all liquors so seized by him, and the vessels containing it, until final action be had thereon; *provided, however,* that if the place to be searched be a dwelling-house in which any family resides, and in which no tavern, eating-house, grocery, or other place of public resort is kept, such warrant shall not be issued, unless one, at least, of said complainants shall, on oath or affirmation, before said Justice, declare that he has reason to believe, and does believe, that within one month next before the making of said complaint, spirituous or intoxicating liquor, or mixed liquor, of which a part is spirituous or intoxicating, has been, in violation of this Act, sold in said house, or in some dependency thereof, by the person accused in said complaint, or by his consent or permission, nor unless, from the facts and circumstances disclosed by such complainant to said Justice, said Justice shall be of opinion that said complainant has adequate reason for such belief.

SEC. 13. PROCESS AFTER SEIZURE.—Whenever upon such warrant such liquor shall have been seized, the Justice issuing said warrant shall, within forty-eight hours after such seizure, cause to be posted upon a public sign-post in said Town, and to be left at the place where said liquor was seized, if said place be a dwelling-house, store, or shop, and to be left with or at the last usual abode of the person named in said complaint as owner or keeper of said liquor, if such person be a resident of this State, a notice summoning such person and all others whom it may concern, to appear before said Justice at a place and time named in said notice—which time shall be not less than two nor more than four weeks after the posting and leaving of said notices, and show cause, if any they have, why said liquor should not be forfeited with the vessels containing it; and said notice shall with

reasonable certainty describe said liquor and vessels, and state where, when, and why the same were seized. At the time and place prescribed in said notice, the person named in such complaint, or any person claiming an interest in said liquor and vessels, or any part thereof, may appear and show cause why the same should not be forfeited. If any person shall then and there so appear, he shall become a party defendant in said case, and said Justice shall make a record thereof. Whether any person shall so appear or not, said complainants or either of them, or any Grand Juror of the Town, may, and upon the failure of such complainants and Grand Jurors, the officer having such liquor in custody shall appear before said Justice and prosecute said complaint and show cause why such liquor should be adjudged forfeited; and said Justice shall make a record of such appearance and the name of such prosecutor, and shall proceed to inquire whether said liquor and vessels be liable to forfeiture; and if, upon the evidence then and there presented to him, he shall find that said liquor or any part thereof was, when seized, kept by any person for the purpose of being sold in violation of this Act, said justice shall render judgment that said liquor or said part thereof, with the vessels in which it is contained, is forfeited.

If no person be made defendant in manner aforesaid, or if judgment be in favor of all the defendants who appear, then the cost of the proceedings shall be paid by the Town, as in other criminal cases. If the judgment of said Justice shall be against only one party defendant, appearing as aforesaid, he shall pay all the costs of the proceedings in the seizure and detention of the liquor claimed by him up to that time, and of said trial. But if such judgment shall be against more than one party defendant, claiming distinct interests in said liquor, then the cost of said proceedings and trial shall be equitably, according to the discretion of said Justice, apportioned among such defendants; and in either case such costs shall be collected by execution, or executions, issued by said Justice, against the property and bodies of the defendant or defendants, whose duty it is to pay the same, and paid into the Treasury of the Town in which the liquor was seized. And if any such execution shall not be forthwith paid, the defendants in such execution shall be committed to the common Jail of the County, and shall not be released therefrom until he shall have paid said execution and the costs of his commitment and detention, or until he shall have been imprisoned thirty days at least.

Any person appearing as aforesaid may appeal from said judgment of forfeiture (as to the whole or any part of the liquor and vessels so adjudged forfeited) to the County Court next to be holden in the county wherein such judgment is rendered, but his appeal shall not be allowed until he shall enter into a recognizance, with good and sufficient surety, to the Treasurer of the County wherein such judgment is rendered, in such an amount as said Justice shall order, conditioned that he appear before said County Court, and prosecute his said appeal and abide the order of said Court thereupon; and in each instance in which any such appeal or appeals is allowed, said Justice shall transmit to the Clerk of said County Court, within ten days thereafter, and on or before the first day of the term to which said appeal or appeals shall be taken, a copy of said Justice's record of the original complaint, and of all proceedings had before him in the case and said complaint; and the case or cases arising upon said appeal or appeals shall thereupon be pending before said County Court. If before said County Court no party so appealing shall appear, the recognizance or recognizances given as aforesaid by said party or parties, shall be defaulted, and said Court shall render judgment that the liquor and vessels in respect to which

said appeal or appeals has or have been taken are forfeited; but if any party or parties so appealing shall appear, said Court shall proceed to try by jury the issue or issues arising upon said appeal or appeals, severally or collectively, as said Court shall deem proper; and if by verdict of the jury accepted by the Court it be found that said liquor in respect to which any appeal was taken, was, when seized, kept by any person for the purpose of being sold in violation of this Act, then said liquor, and the vessels containing it, shall by said Court be adjudged forfeited, and said Court shall tax the costs arising upon said appeal against the said party appealing, and order him to pay the same forthwith; and for the payment thereof, according to said order, his said bond of recognizance shall stand as security.

Sec. 14. Disposition of Forfeited Liquors.—Whenever it shall be finally decided that liquor seized as aforesaid is forfeited, the Justice of the Peace or other Court rendering final judgment of forfeiture, shall issue to the Officer having said liquors in custody, or to some other proper Officer, a written order directing him to deliver said liquor, and the vessels containing it, to some Agent duly appointed for the sale of intoxicating liquor, in the Town where said liquor was seized, or in case there be no such Agent in said Town, then to some other such Agent in some other convenient Town in the same County—which order the said Officer, after obeying the commands thereof, shall return to said Court, with his doings thereon indorsed. Said Agent shall receive said liquor and vessels, and if in his opinion the same or any part thereof be fit to be sold for any lawful use, he shall sell the same or such part thereof, in the course of his agency, for the benefit of the Town wherein the same were seized; and if in his opinion the same or any part thereof be not fit to be sold, he shall destroy the same or such part thereof. Whenever it shall be finally decided that any liquor so seized is not liable to forfeiture, the Court so deciding shall issue a written order to the Officer having the same in custody, or to some other proper Officer, to restore said liquor, with the vessels containing it, to the place where it was seized, as nearly as may be, or to the person entitled to receive it, which order the said Officer, after obeying the commands thereof, shall return to said Court with his doings thereon indorsed. And the costs of the proceedings in such case shall be taxed and paid in the same manner as is provided in the case of persons acquitted, by the 196th Section of the Act concerning Crimes and Punishments, Revised Statutes, page 267.

Sec. 15. Prosecutions for Keeping Liquors for Sale.—Whenever any Grand Juror or other Officer authorized to commence a prosecution for a violation of the 9th Section of this Act, shall in any way receive notice that liquor has been seized upon a warrant issued pursuant to the 12th Section of this Act, said Grand Juror or other Officer shall immediately cause a prosecution for violation of said 9th Section to be commenced, before the Justice who issued said warrant, against the person named in said warrant as the owner or keeper of the liquor to be seized—unless such prosecution have already been commenced by some other proper Officer.

Sec. 16. Forms of Complaint, Certificate, Warrant, and Notice.—A complaint under the 12th Section of this Act may be in form substantially as follows:

To A. B., Esq., a Justice of the Peace in the Town of , and County of ; the complaint of the undersigned (of good moral character, resident in said Town, of full age) showeth, that in a certain place in said Town, to wit (here insert description of shop, house, or other place, describing the same as nearly as may be): certain liquor, to wit

(here insert description of liquor, describing the same as nearly as may be): is owned (or kept, as the same may be) by C. D., of the Town of , in the County of , and is intended by said C. D. to be sold in violation of the Act of 1854, entitled "An Act for the Suppression of Intemperance." Wherefore these complainants pray your honor to issue a warrant of search, that said place may be searched and said liquor seized and disposed of according to law.

Dated at , this day of

E. F.
G. H.
I. J.

The Justice of the Peace to whom such complaint is made having administered to the complainants the oath or affirmation required by Section 12th, may certify on such complaint the administration of said oath and his finding thereon, in form substantially as follows:

(Name of County) County, ss. (Town and date.)

Personally appeared E. F., G. H., and I. J., of good moral character, residents in said Town of , being of full age, and presented to me the foregoing complaint, by them signed, and made solemn oath (or affirmation, as the case may be) before me, that they have reason to believe, and do believe to be substantially true, the allegations in said complaint; whereupon I find that probable cause exists for said complaint, and (in case a dwelling-house, etc., is to be searched, and the said , one of said complainants, having on his oath (or affirmation) before me declared that he has reason to believe, and does believe, that within one month next before the making of said complaint, spirituous or intoxicating liquor, or mixed liquor, a part of which is spirituous or intoxicating, has been sold in violation of the Act of 1854, for the suppression of intemperance, in said house, or in some dependency thereof, by the person accused in the complaint aforesaid, or by his consent or permission, upon the facts and circumstances disclosed by said to me, I am of the opinion that he has adequate cause for such relief.

A. B. Justice of the Peace.

A warrant, issued pursuant to Section 12th, may be in form substantially as follows:

To the Sheriff of the County of , his Deputy, or either Constable of the Town of in said County—Greeting:

Whereas E. F., G. H., and I. J., residents in said Town, being of good moral character and of full age, have before me made their written complaint, that in a certain place in said Town, to wit: in (here insert description of shop, house, or other place, describing the same as nearly as may be) certain liquor, to wit: (here insert a description of the liquor as nearly as may be) is owned (or kept, as the case may be) by C. D., of (names of Town and County), and is intended by said C. D. to be sold in violation of the Act of 1854, entitled "An Act for the Suppression of Intemperance;" and whereas said complainants have before me made solemn oath (or affirmation, as the case may be) that they have reason to believe, and do believe to be substantially true, the allegations in said complaint; and whereas I do find that probable cause exists for said complaint, and in case a dwelling-house, etc., is to be searched, and the said , one of said complain-

ants, having on his oath (or affirmation) before me declared, that he has reason to believe, and does believe, that within one month next before the making of said complaint, spirituous or intoxicating liquor, or mixed liquor, a part of which is spirituous or intoxicating, has been sold in violation of the Act of 1854, for the suppression of intemperance, in said house or in some dependency thereof, by the person accused in the complaint aforesaid, or by his consent or permission, upon the facts and circumstances disclosed by said to me, I am of opinion that he has adequate cause for such belief; now, therefore, by authority of the State of Connecticut, you are hereby commanded to search thoroughly the said place, and to seize said liquor and the vessels containing it, and securely keep the same until final action be had thereon. Hereof fail not, but due return make.

Dated at , this day of

A. B., Justice of the Peace.

The form of notice required by Section 13th, may be substantially as follows:

To C. D., of the Town of , in the County of and to all others whom it may concern—Greeting:

Whereas, pursuant to the provisions of the Act entitled "An Act for the Suppression of Intemperance," upon due complaint, dated , and upon warrant duly issued upon said complaint, certain liquor, with the vessels containing it (describe the liquor and vessels with reasonable certainty), was seized at (describe the place as nearly as may be), in the Town of , on the day of , A. D. , by (name of officer) a (Sheriff, Deputy Sheriff, or other officer, as the case may be), which said liquor and vessels were seized, because it is alleged in said complaint that said liquor was owned (or kept) by some person with intent that said liquor should be sold contrary to law; and whereas the said liquor, if so owned or kept with such intent, is liable to forfeiture:—now you. the said C. D., and all others whom it may concern, are hereby summoned to appear before me, at , in (name of Town), on the day of , A. D., at o'clock in the noon, then and there to show cause, if any you have, why said liquor and vessels should not be adjudged forfeited. Dated at , this day of A. D.

A. B., Justice of the Peace.

Sec. 17. Imprisonment for Intoxication Avoided by Disclosure.—If any person shall be found in a state of intoxication, any Sheriff, Deputy Sheriff, Constable, Grand Juror, or Selectman of the Town, or any Police Officer of any City, may without warrant, and it is hereby made his duty, to take such person into custody, and detain him in some proper place until, in the opinion of such officer, he shall be so far recovered from his intoxication as to be capable of properly testifying in a Court of Justice, and shall then bring him before some Justice of the Peace in the same Town, and if such person is willing to make full disclosures regarding the person or persons of whom, and the time, place, and manner in which the liquor producing his intoxication was procured, and all the circumstances attending it—such Justice shall administer to him the oath provided for witnesses, and shall inquire of him, in the presence of the officer, regarding the matters aforesaid, and if upon such inquiry it shall appear to such Officer that any of the offenses specified in the 8th or 9th Sections of this Act has been committed within this State, such Officer (who is hereby authorized so to do)

shall in due form file his complaint to said Justice for the commission of such offense against the person or persons upon such disclosure appearing to the Officer to be guilty thereof, and shall detain the person so taken intoxicated until the trial of said complaint before said Justice. And said Justice shall issue his warrant for the immediate arrest of the person charged in such complaint, and he shall be accordingly arrested and brought before said Justice to answer to said complaint, and shall be tried thereon without unnecessary delay, and convicted or acquitted in due form of law; and it shall be the duty of said Officer to prosecute such complaint, and of any Grand Juror of the Town, upon request of such Officer, to assist him in such prosecution. And the person so arrested, when taken and brought before said Justice upon said warrant, shall be immediately put to plead to said complaint; and, unless he plead guilty, the trial of said complaint shall be commenced, and whether he plead guilty or not, the testimony of the person found intoxicated as aforesaid shall be taken, of which testimony the said Justice shall make a true record; and if the person complained against shall be found guilty, and shall appeal from the judgment of said Justice, said Justice may at his discretion recognize with surety such witness, for his appearance to testify in said case before the Court to which the appeal was taken, or commit him for want of such recognizance. And if, upon such trial or trials, the person so found intoxicated shall, in the opinion of the prosecuting officer, testify freely, fully, and fairly, regarding the procurement or receipt of the liquor which produced his intoxication, the person or persons of whom, and on what terms it was obtained or received, and the time and place of such receipt, and all the circumstances regarding it, he shall be discharged, and no evidence which he shall have given, either before said Justice in making such disclosure, or as a witness on said trial or trials, shall be used against him in any trial or proceeding whatever, nor shall any prosecution be instituted or carried on against him, for or on account of such intoxication. But if he shall refuse to make disclosure before said Justice in the manner herein-before provided, or shall refuse to testify freely and fully as a witness on said trial or trials, then he shall be in due form prosecuted for his intoxication, and on conviction thereof be punished as provided in the 29th Section of this Act. The costs of the arrest and detention of the person so taken intoxicated shall, upon the order of the Justice before whom such person is brought, be paid from the Treasury of the Town in which the arrest is made.

Sec. 18. Justices of the Peace.—All the powers and duties which may be exercised or performed under this Act, or in carrying into execution the provisions thereof, by any Justice of the Peace in any Town, including the power of receiving and trying complaints and the power of issuing warrants of search and other warrants, may, within the limits of such Town, be exercised and performed by any Justice of the Peace, not resident in such town, who resides in the same County wherein such town is situated.

Sec. 19. Selectmen, Mayor, Aldermen, and Grand Jurors.—Every Selectman and every Constable within his own Town, and every Mayor and every Alderman within his own City, shall have the same powers as a Grand Juror, to institute and conduct prosecutions for all violations of this Act; and the fees of such Selectman, Constable, Mayor, or Alderman for such service shall be the same and shall be paid in the same way as fees of Grand Jurors for like services.

Sec. 20. Prosecutions Conducted by Three Electors.—Any three electors of any Town may, within such Town, exercise all the powers of Grand Jurors in instituting and conducting prosecutions for violations of

this Act, provided that every complaint so instituted by them shall be verified by their declaration under oath or affirmation before a Justice of the Peace, that they have reason to believe, and do believe to be substantially true, the allegations in said complaint.

SEC. 21. TAKE PRECEDENCE IN THE HIGHER COURTS.—All cases under this Act which shall come by appeal, writ of error, or in any other manner before any higher Court than a Justice's Court, shall in such higher Court be conducted by the State's Attorney in behalf of the prosecution, and shall take precedence in such Court of all other criminal business, except those criminal cases in which the parties accused are actually under arrest awaiting trial; and the prosecuting officers shall not have authority to enter a *nolle prosequi*, except by consent of the Court, and where the purposes of Justice manifestly require it; nor shall the Court grant a continuance in any case arising under this Act, except where the purposes of justice manifestly require it.

SEC. 22. VIOLATORS OF THE LAW INCOMPETENT FOR JURYMEN.—No person who may be, or who may within one year next before the trial of any prosecution for a violation of this Act, in which trial he may be called to sit as a juror, have been engaged in the unlawful manufacture or sale, or keeping for sale, of spirituous or intoxicating liquor, or of mixed liquor, of which a part is spirituous or intoxicating, shall be competent to sit upon any jury in any case arising under this Act; and when information shall be given to the Court, or to the prosecuting officer that any member of any panel is, or has within said year been engaged in such manufacture or sale, or keeping for sale, or that he is believed to be or to have been so engaged, the Court, or the prosecuting officer in presence of the Court, shall inquire of said juryman as to the truth of said suggestion; and no answer which said juryman shall make to such inquiry, and no refusal on his part to answer, shall be used in evidence against him in any case whatever, and he may, if he see fit, refuse to answer; if he do refuse to answer, or if by his answer the Court shall think him incompetent to sit as juryman in said case, he shall be discharged by the Court from further attendance as juryman in all cases arising under this Act.

SEC. 23. DEFAULT OF RECOGNIZANCE.—Whenever default shall be had of any recognizance, or whenever a breach of the condition of any recognizance or bond given pursuant to this Act shall have occurred, the proper officer shall forthwith commence a suit upon said recognizance or bond, and pursue the same to final judgment as speedily as possible. Any judgment recovered in such suit shall be for the full amount of said recognizance or bond, with costs of suit; and no Court or officer shall remit to the defendant or defendants any part of said judgment.

SEC. 24. PROOF OF PAYMENT NOT NECESSARY.—In any complaint under this Act it shall not be necessary to set forth exactly the kind or quantity of liquor sold or manufactured, or the exact time of the sale or the manufacture thereof, but proof of the violation by the accused of any provision of this Act, the substance of which violation is briefly set forth in said complaint, within the times mentioned in said complaint, shall be sufficient to convict such person; and it shall not be requisite in any complaint for a second or subsequent offense, to set forth the record of a former conviction, but it shall be sufficient briefly to allege in such complaint such former conviction; nor shall it be necessary in every case to prove payment in order to prove a sale, within the meaning of this Act.

SEC. 25. FEES.—A Justice of the Peace shall he entitled to receive, for causing notices to be posted up and left pursuant to Section 13th, fifty

cents, and for issuing an order pursuant to Section 14th or Section 15th, fifty cents; and the officer who shall make service of any warrant for the seizure of liquor shall be allowed for the same one dollar; for the removal and custody of liquor so seized, his reasonable expenses and one dollar; for the delivery of any such liquor, under order of the Court, one dollar, and for posting and leaving the notices required by Section 13th of this Act, one dollar.

Sec. 26. Breach of Trust in the Agent.—The Selectmen of every Town whenever complaint shall be made to them that a breach of the condition of the bond given by an Agent, appointed by them under this Act, has been committed, shall notify such Agent of such complaint, and if, upon hearing of the parties, it shall appear that any such breach has been committed, they shall revoke said Agent's appointment; and whenever such breach is in any way made known to the Selectmen, or any one of them, they or he shall, at the expense and for the use of said Town, cause the bond to be put in suit.

Sec. 27. Payments for Liquor Illegally Sold.—All payments or compensations for liquor hereafter sold in violation of this Act, whether such compensations be in money, goods, land, labor, or any thing else, shall be held to have been received in violation of law, and against equity and good conscience, and to have been received upon a valid promise and agreement of the receiver, in consideration of the receipt thereof, to pay to the person furnishing such consideration on demand the amount of said money or the just value of such goods, land, labor, or other thing. All sales, transfers, conveyances, mortgages, liens, attachments, pledges, and securities of every kind, which either in whole or in part shall have been made for, or on account of spirituous or intoxicating liquor sold in violation of this Act, shall be utterly null and void against all persons in all cases, and no rights of any kind shall be acquired thereby: and no action of any kind shall be maintained in any Court in this State for spirituous or intoxicating liquor or mixed liquor, of which part is spirituous or intoxicating, sold in any other State or Country contrary to the law of said State or Country, or with intent to enable any person to violate any provision of this Act; nor shall any action be maintained for the recovery or possession of spirituous, or intoxicating, or mixed liquor, or the value thereof, except in cases where persons owning or possessing such liquor with lawful intent, may have been illegally deprived of such liquor. Nothing in this Section, however, shall affect in any way negotiable paper in the hands of a *bona fide* holder thereof, who may have given valuable consideration therefor without notice of any illegality in its inception or transfer, or the holder of land or other property, who may have taken the same in good faith without notice of any defect in the title of the person from whom it was taken; and all other Sections of this Act, and all evidence given under them, shall be construed in the same way as they would be construed if this Section were omitted from this Act, and have the same effect.

Sec. 28. Purchase of Liquor for Agents.—The Selectmen of every Town shall have power (unless otherwise directed by vote of the Town), from time to time, to draw from the Town Treasury such sum as in their judgment shall be necessary for the purchase of spirituous or intoxicating liquor, by the Agent or Agents of such Town, to be by him sold under the provisions of this Act. But such Town may, by vote of any Town Meeting, duly called for that purpose, direct as to the amount of money which may be drawn from the treasury for the purpose aforesaid, and the time or times when such drafts may be made. And no Agent appointed under this

Act shall have power on behalf of any Town to contract any debt for spirituous or intoxicating liquor which shall be to any extent binding on such Town.

SEC. 29. PENALTY FOR INTEMPERANCE.—If any person shall be found intoxicated, he shall, on conviction thereof, pay a fine of twenty dollars to the Treasury of the Town in which the offense is committed, together with the costs of his prosecution, and stand committed until the judgment be complied with.

Every prosecution for the violation of this section shall be heard and determined by a Justice of the Peace in the Town where the offense is committed, but the person convicted on such prosecution may appeal from the judgment of such Justice to the next County Court in the County, provided that upon such appeal he shall give such bond of recognizance, with surety, as such Justice shall order, to the Treasurer of the County wherein the offense was committed, conditioned for his appearance before said County Court, to answer to said complaint, and for his abiding the judgment that may be rendered by said Court thereon, and if, in case of conviction for said offense, either before said Justice or before said County Court, the person so convicted shall fail to pay the fine imposed and the costs of his prosecution, he shall be committed to the common jail of the County, and shall not be released until he shall have been imprisoned for thirty days at least.

SEC. 30. REPEAL OF FORMER ACTS.—The 134th Section of the Act entitled "An Act Concerning Crimes and Punishments," and all other Acts and part of Acts inconsistent with this Act, shall be repealed when this Act goes into operation.

Provided, that all prosecutions which shall have been commenced at the time this Act goes into operation shall be carried on to final judgment and execution, as if this Act had not been passed.

SEC. 31. PERIOD OF ENFORCEMENT.—This Act shall take effect on the 1st day of August, A. D., 1854.

AN ACT IN ADDITION TO AN ACT FOR THE SUPPRESSION OF INTEMPERANCE.

WHEREAS, In the city of New London and in certain other cities, jurisdiction in certain criminal cases now is, or may hereafter be committed by law to police courts, or to other courts, or to mayors, aldermen, or other officers authorized to act judicially in such cases; therefore,

Be it enacted by the Senate and House of Representatives, in General Assembly convened:

SEC. 1. POLICE COURTS.—In all cities, the judges of said police courts and of said other courts, and the said mayors, aldermen, and other officers, who now have or may hereafter have jurisdiction in any criminal cases, shall severally and individually have and exercise within their respective cities, concurrently with Justices of the Peace, on and after the first day of August, 1854, the same criminal jurisdiction and the same powers and du-

ties which Justices of the Peace in the several towns will, after said first day of August next, have and exercise under the provisions of "An Act for the Suppression of Intemperance," passed at this present session, and such other acts as have been or shall be passed in addition to or in alteration thereof. And from the judgments of such judges, mayors, aldermen, and other officers, an appeal may be taken to the County Courts in the same manner and upon the same conditions as from the judgments of Justices of the Peace in like cases under said Act; and such appeals shall be by said County Courts disposed of in the same manner as appeals from the judgments of Justices of the Peace under said Act.

SEC. 2. JUSTICES OF THE PEACE.—Notwithstanding the provisions of "An Act to amend the Charter of the City of New London," passed at this present session, and notwithstanding the provisions of any other private or public act to the contrary, all Justices of the Peace residing within any city shall, after said "Act for the Suppression of Intemperance" shall have taken effect, have and exercise the same criminal jurisdiction and the same powers and duties which Justices of the Peace in the several towns may then have and exercise under the provisions of said last-named Act, or any other Act in addition to or in alteration thereof.

SEC. 3. BURNING FLUIDS, PERFUMERY, ETC.—Nothing contained in the Act to which this is an addition shall be so construed as to prohibit the manufacture, or keeping for sale, or sale, of Burning Fluids of any kind, Perfumery, Essences, Chemicals, Dyes, Paints, Varnishes, Cosmetics, Solutions of Medicinal Drugs, medical compounds, or any other article which may be composed in part of alcohol or other spirituous liquor, if not adapted to use as a beverage.

Provided, however, that if such article is capable of being used, or is intended to be used as a beverage, or in evasion of said Act, the manufacture or keeping for sale, or sale thereof, shall be deemed a violation of said Act.

SEC. 4. PROSECUTION OF CONVICTED DRUNKARDS.—The seventeenth section of said Act shall not be so construed as to authorize the forcible detention of the person taken intoxicated, after he shall have recovered from his intoxication, until the trial before the Justice of the person or persons against whom his disclosure shall be made; but if such person, upon recovering from his intoxication, shall not voluntarily consent to go and go with the officer and make the disclosures contemplated in said section, and shall not thereafter voluntarily remain in the custody of such officer or some other proper person by said officer designated, until such trial, he shall be forthwith prosecuted for his intoxication under the twenty-ninth section of said Act; and any officer who by said seventeenth section is authorized to arrest such intoxicated persons, may make complaint against and prosecute such person for such intoxication.

Approved June 30, 1854.

STATE OF CONNECTICUT, ss. }
Office of Secretary of State. }

I hereby certify that the foregoing is a true copy of record in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State, at New Haven, this 30th day of June, A. D., 1854.

[L. S.] O. H. PERRY, *Secretary of State.*

THE

PROHIBITORY LIQUOR LAW

OF

DELAWARE.

AN ACT FOR THE SUPPRESSION OF INTEMPERANCE.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met:

SECTION 1. SELLING LIQUOR A MISDEMEANOR.—No person shall sell by himself, his servant, or agent, or as the servant or agent of another, directly or indirectly, any intoxicating liquor, except as hereinafter provided. Every person who shall in violation of this Act sell any such liquor shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof by indictment, forfeit and pay for the first offense a fine of twenty dollars besides costs of prosecution, and in default of payment shall be imprisoned twenty days; and for the second and every subsequent offense, shall forfeit and pay a fine of fifty dollars besides costs, and be imprisoned not less than ten nor more than sixty days. In any prosecution for a violation of this section, proof of the disposal of any such liquor by any person being the keeper of, or interested in any tavern, store, boarding-house, eating-house, oyster-house, or other place of public entertainment or resort, or by any person in his behalf, shall be deemed and taken as *prima facie* and presumptive evidence that such liquor was sold contrary to the provisions of this Act.

SEC. 2. GIVING LIQUOR TO INTOXICATED PERSONS A MISDEMEANOR.—No person shall willfully give, or in anywise dispose of, any intoxicating liquor to any intoxicated person, or person of known intemperate habit, for use as a beverage. Every person who shall violate any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof by indictment, shall for every offense forfeit and pay a fine of not less than ten nor more than fifty dollars besides costs.

SEC. 3. KEEPING FOR SALE A MISDEMEANOR.—No person shall own or keep any intoxicating liquor with intent to sell the same, or permit the same to be sold in violation of this Act. Every person who shall own or keep such liquor with any such intent shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof by indictment, forfeit and pay for the first offense a fine of twenty dollars besides costs of prosecution, and stand committed until such fine and costs be paid; and for a second or other subsequent offense, shall forfeit and pay a fine of fifty dollars besides costs, and be imprisoned not less than ten nor more than thirty days. In any prosecution for a violation of this section proof of the possession of such liquor

by the accused in any tavern, store, eating-house, oyster-house, or other place of public entertainment or resort, or in any dependency thereof, or on premises belonging thereto, except only in a private dwelling-house, shall be taken and acted on as presumptive and *prima facie* evidence that such liquor was kept for sale contrary to the provisions of this Act.

SEC. 4. MANUFACTURE BY AUTHORITY.—The Associate Judge of the Superior Court may, by his certificate, give to any person who is a qualified voter of the County in which such Judge resides, applying in writing therefor, authority to sell intoxicating liquor, manufactured by himself, from fruit or grain, being the growth of land in this State, owned or occupied by him, in any quantity, to such person only as shall be duly authorized to sell the same under the provisions of section 5 of this Act. Every other sale by any manufacturer shall be considered an unlawful sale within the meaning of this Act, and any act which would be deemed and construed a sale under this Act, when done by any other person, shall be deemed and construed to be a sale when done by such manufacturer. The application must specify, and the certificate designate, the place where the liquor is to be manufactured and sold.

SEC. 5. SALE BY AUTHORITY.—Any person who is a voter in the hundred in which he intends to sell intoxicating liquors may apply in writing to the Associate Judge resident in the same County for a certificate authorizing him to purchase and sell such liquors for mechanical, chemical, and medicinal purposes only, and pure wine for sacramental use. Such application shall set forth the Hundred, and particularly describe the premises and place in which he intends to sell such liquor, and any certificate granted shall authorize him to sell such at such place and for such purpose only. Of the persons so applying, the said Judge may designate and grant such certificate to any number not exceeding three in any one Hundred, and not exceeding five in the City of Wilmington. No person who uses such intoxicating liquor as a beverage shall be entitled to receive such certificate, nor any person who is at the time a keeper of, or interested in, any tavern, boarding-house, eating-house, oyster-house, or other place of public entertainment, recreation, or amusement, and if at any time during the term for which the said certificate shall have been granted such person shall so use such liquor, or become the keeper of, or interested in, any tavern or other house or place as above mentioned, the said certificate shall become and be utterly void, and shall thenceforth furnish no excuse or justification to such person in any proceedings for a violation of any of the provisions of this Act. Every person authorized to sell intoxicating liquor under the provisions of this section shall keep a book of purchases and sales, in which he shall enter separate accounts thereof, specifying the kind, quantity, and cost of each purchase made by him, the name of the person from whom each purchase was made and the date thereof; the kind, quantity, and price of each sale made by him, the purpose for which, the name of the person to whom, and the time when sold, which book shall, at all times during business hours, be open to examination by any Judge, Justice of the Peace, or Grand Juror of the County. He shall sell such liquor at not more than fifty per cent. advance upon the cost thereof, and shall file, in the office of the Clerk of the Peace of the County in which he resides, not less than ten nor more than fifteen days before the expiration of each quarter of the year for which his certificate is valid, an account of such purchases and sales made by him, containing kind, quantity, and price, verified by affidavit that the same is a correct account of the purchases and sales made by him during the current quarter, and since the filing of the last account, according to

his knowledge, information, and belief. If any person shall sell for more than fifty per cent. advance, as above mentioned, or shall omit to file such account for the space of ten days after the time above limited, his certificate shall thereupon become void.

SEC. 6. SURETIES FOR AGENT.—Every person to whom any certificate shall be granted to sell intoxicating liquor as above provided shall, with two sufficient sureties, become bound to the State of Delaware in a joint and several obligation, to be with the sureties therein approved by the Judge granting the certificate, in the sum of five hundred dollars, conditioned that he will not at any time during the year next following the date of his said certificate violate in any manner any provision of this Act or any law of this State touching the manufacture or sale of intoxicating liquors. Such obligation and condition shall not be understood to extend to the making the entries or filing the account provided for in the last section. Such certificate shall continue in force for one year from the date thereof and no longer, but no person shall have or exercise any authority under any certificate until he shall have lodged the said obligation in the office of the Prothonotary of the County in which such person resides, there to remain filed, and the application and certificate in the office of the Clerk of the Peace. The said officer shall respectively indorse thereon the date on which they were received, and the said Clerk shall file the application and record the certificate in a book for that purpose, which record and indorsement shall be evidence in any proceeding under this Act. The fee for recording shall be fifty cents. If any person so authorized and bound shall break the condition of such obligation, suit may be thereupon instituted on the said obligation by any person who will sue, in the name of the State of Delaware, for the use of the said State and the person so suing, and may be prosecuted to judgment and execution, and in such action, upon proof of the breach of the condition of such obligation in any respect, the whole amount of the penalty or sum of money expressed in the said obligation shall be assessed as the damages occasioned thereby, and judgment shall be rendered therefore, and shall be one half for the person suing, and the other half for the use of the State.

SEC. 7. OBTAINING LIQUOR UNDER FALSE PRETENSES.—If any person purchasing any intoxicating liquor of any one authorized to sell by virtue of section 5 of this Act shall intentionally make to the seller any false statement regarding the use to which such liquor is intended to be applied, such person so offending shall, upon conviction as hereinafter provided, forfeit and pay a fine of not less than ten nor more than twenty dollars, besides cost; and on failure to pay such fines and costs, shall be committed not less than one day nor more than two days for every dollar of such fine unpaid.

SEC. 8. INTEMPERATE PERSONS.—If any intoxicated person be found in any public place, or disturbing the public peace and quiet, he shall, upon conviction thereof, as hereinafter provided, forfeit and pay a fine of not less than ten nor more than twenty dollars, besides costs, and shall, on failure to pay such fine and cost, be committed not less than one day nor more than two days for every dollar of such fine unpaid.

SEC. 9. APPEAL FROM DECISION.—Every prosecution under sections 7 and 8 of this Act shall be heard and determined by a Justice of the Peace, but any person convicted may, within five days thereafter, appeal from any final judgment rendered against him by any Justice, to the Court of General Sessions of the Peace and Jail Delivery. Such person appealing shall enter into recognizance with sufficient surety in such sum as the Justice shall de-

termine conditioned for his appearance at said Court at the next term thereof to be holden in the County wherein said judgment was rendered, to answer to the complaint whereon said judgment was rendered, and for his abiding the judgment that may be rendered by the said Court. The Justice shall bind the witness for the State for their appearance to testify in case an appeal shall be taken; shall transmit immediately a certified copy of his record to the Clerk of the Peace of the County, who shall enter the appeal. The Attorney General shall, on such appeal, appear for the State, and the trial shall be by Jury.

Sec. 10. Drunkard's Testimony.—If any person shall be found intoxicated, as above-mentioned in section 8, any Sheriff, Deputy Sheriff, or Constable may, without warrant—and it is hereby made his duty to—take such person into custody and take him before some Justice of the Peace, who shall give him in charge to such officers to keep him in some safe and convenient place, to be designated by said Justice, until he become sufficiently sober, and thereupon forthwith to take him before said Justice, or if he can not be found, before some other Justice, and either case such Justice shall, in the presence of the officer, examine him upon oath or affirmation regarding the person or persons from whom, and the time, manner, and place in which the liquor producing his intoxication was procured, and shall reduce the substance thereof to writing, which shall be signed by the witness. If upon such inquiry it shall appear to the Justice that an offense against any of the provisions of sections 1, 2, or 3 has been committed, it shall be his duty to issue a warant for the arrest of the offender, and to proceed as in other cases of complaint. The Justice, if in his opinion it is necessary, may either recognize the witness for his appearance to testify at the hearing, or may detain him. If such person shall refuse to be sworn or affirmed, or fairly and fully to answer any question pertinent to such examination. he shall, unless reasonable cause be shown, be deemed guilty of contempt, and shall be fined not less than ten nor more than fifty dollars, and stand committed until the same is paid. No answer or testimony which any such person shall give on such examination, or at the hearing before the Justice, or on trial of the accused, shall be used in evidence against him in any proceeding whatever, except for perjury in relation therein.

Sec. 11. Summoning Witnesses.—Whenever a complaint on oath or affirmation in writing, which complaint shall state the facts or circumstances upon which his belief is founded, shall be made before any Justice of the Peace, by any person, that he has just cause to believe, and does believe, that any offense has been committed against this Act, and that some other person or persons named by him has or have knowledge of the commission of such offense, such Justice, if he thinks there is probable cause to believe that such offense has been committed, and that such person or persons has or have knowledge thereof, shall forthwith issue a summons for such person or persons, commanding him, her, or them to appear before him, on a day not more than four days thereafter, to testify in relation to such complaint. This summons may be served by the officer to whom it is delivered, or any other person whom he may depute for that purpose. If the person or persons summoned shall appear, the Justice shall examine him or them on oath or affirmation touching such complaint, and if sufficient cause appear, shall issue a warrant of arrest against the offender, bind the witness for his appearance to testify at the hearing or detain him, and proceed as in other cases. If any person so summoned shall fail to appear, an attachment shall be issued to compel his appearance, the service

of the summons being first proved by the return of the officer, or the oath or affirmation of any other person, suing the same. If any person so summoned or attached shall refuse to testify, he shall, unless just cause be shown, be deemed guilty of contempt, and be punished by a fine of not less than ten, nor more than twenty dollars, and stand committed until the same is paid.

Sec. 12. Process after Complaint.—Whenever any complaint shall be made in the form to a Justice of the Peace of a violation by any person of any of the provisions of this Act, it shall be his duty to proceed as directed in chapter 97 of the Revised Statutes, in relation to complaints made before him in other criminal cases and all existing provisions of law relative to misdemeanors and offenses created by this Act, so far as the same are applicable, and are not inconsistent therewith.

Sec. 13. Appearing in Proper Person.—No recognizance taken by a Justice or bail bond by a Sheriff, to secure the appearance of any defendant to answer for any offense under this Act, shall be deemed to be satisfied or the condition thereof fulfilled unless the person so bound to appear, shall appear in proper person at the oourt, at which he has so undertaken to appear, and shall in proper person remain and abide the judgment which may be rendered by the court on said charge; and it shall be the duty of the proper officer forthwith to commence a suit on any such recognizance or bail-bond which has been defaulted, or of which a breach of the condition has occurred, and to pursue the same to final judgment and execution as speedily as possible, and any judgment recovered in such suit shall be for the full amount of such recognizance or bail-bond with costs.

Sec. 14. Fines and Forfeitures.—All fines and forfeitures which may accrue and be received under the provisions of this Act, and not otherwise herein appropriated, shall be paid over by the officer receiving the same to the Treasurer of the County, wherein such convictions were had, for the use of the county.

Sec. 15. Making Complaint.—It shall be the duty of every Justice of the Peace, Sheriff, Deputy Sheriff, and Constable within their respective counties, whenever he shall have knowledge that offense has been committed against any of the provisions of this Act, to make complaint or cause complaint to be made thereof.

Sec. 16. Neglect of Official Duty a Misdemeanor.—Every public officer who shall neglect or refuse to perform any duty required of him by any section of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, by indictment, shall forfeit and pay a fine of not less than fifty, nor more than two hundred dollars, besides costs, and such conviction shall, except in the case of judicial offices, *ipso facto*, work a forfeiture of office.

Sec. 17. Resistance to the Law a Misdemeanor.—Every person who shall oppose or resist any officer, or any one called by him, to his aid in the execution of any duty under this Act, shall be deemed guilty of a misdemeanor, and upon conviction, by indictment, shall forfeit and pay a fine of not less than fifty dollars, and in default of payment of such fine and costs, shall be imprisoned not less than ten days.

Sec. 18. Importers of Foreign Liquors.—This Act shall not be deemed or taken to apply to the importer of foreign intoxicating liquors, in respect to such liquor imported under the authority of the laws of the United States, regarding the importation of such liquors, and in accordance with said laws, provided that the said liquor remains in the original casks or packages in which it was by him imported, and in quantities not less than

the quantities in which the laws of the United States require such liquor to be imported, and is by him disposed of in said casks or packages, and in said quantities only; and provided, also, that in any proceeding under this Act, the Custom House certificates of importation and proofs of marks on the casks or packages corresponding thereto, shall not be received as sufficient evidence that the liquor contained in said casks or packages, are those actually imported therein, but the person to be benefited thereby shall be required to allege and prove such fact aliunde.

SEC. 19. HOME-MADE CIDER AND WINE.—Nothing contained in this Act shall be construed to forbid the sale at the place of manufacture, by the maker thereof, of cider or wine, manufactured from fruits being the growth of land in this State, owned or occupied by the manufacturers, provided only that the quantity of cider or wine sold at any one time be not less than one gallon, and that the same be sold to be, and be all taken away at one time. No cider or wine so sold shall be drank on the premises of the seller, and any such drinking or a transfer to the seller of any portion so sold, shall subject him to the penalties of an unlawful sale; and provided, also, that no such sale shall be made directly or indirectly to any such person as is mentioned in section 2 of this Act.

SEC. 20. DEFINITION OF TERMS.—The words "intoxicating liquor," and "liquor," as used in this Act, shall be construed to mean, extend to, and include ale, porter, lager beer, cider, and all wines, alcohol, all distilled and malt liquors, all drugged liquors, and mixed liquors, part of which is alcohol, distilled of malt liquor, and all liquors that can intoxicate and are adapted to use as a beverage.

SEC. 21. PHYSICIANS.—Nothing in this Act shall be construed to prevent physicians pursuing the practice of medicine as a business, from keeping and professionally giving or in any wise disposing of intoxicating liquors medicinally, or any person from giving wine for sacramental purposes.

SEC. 22. "SELL AND SALE."—The terms "sell" and "sale" in this Act when descriptive of, or referring to, any offense, shall be construed to mean and include any and every mode in which such liquor may be disposed of or transferred, with a view to any profit or advantage, upon any consideration whatever, past, present, or future, otherwise than as a pure gift, and in any proceedings under this Act, proof of any disposal of such liquor, otherwise than by such gift, shall be sufficient to establish the allegation of a sale within the meaning of this Act.

SEC. 23. INTOXICATING LIQUOR THE ONLY NECESSARY DESCRIPTION.—In any proceeding for a violation of the provisions of this Act it shall not be necessary to specify or prove the precise kind of liquor which is the subject of the charge, but to allege it as "intoxicating liquor" only, and proof of the unlawful charge in relation to any such liquor, shall be deemed sufficient, although the particular kind may not be able to be shown. All clerks, agents, and servants shall be proceeded against as principles, and incur the same penalties for a violation of sections 1, 2, or 3, of this Act.

SEC. 24. PREVIOUS PROSECUTION NO BAR TO CONVICTION.—Any number of offenses against this Act may be committed by the same person on the same day, and no prosecution for an offense alleged to have been committed at any time shall be a bar to a conviction for an offense prior to that time.

SEC. 25. NO LICENSES ABOLISHED.—No license to sell intoxicating liquor or by authority of which such liquor can be sold, shall hereafter be granted, except as provided in this Act.

SEC. 26. FORMER-ACTS REPEALED.—All acts and parts of acts incon-

sistent with this Act, are hereby repealed, but no suit or other proceeding commenced or indictment formed before this Act takes effect, shall in any manner be affected thereby.

SEC. 27. EXISTING LICENSES TO RUN OUT.—Nothing in this Act shall be construed to affect the right of any person now having license to sell intoxicating liquor, as a tavern-keeper, or under the provisions of the Act entitled "An Act regulating the sale of intoxicating liquors," during the period for which his license was granted, with respect to such license, but such person shall have and exercise the rights and privileges which he now enjoys, until the expiration of such time, subject to all the provisions of law now in force regulating his conduct under such license, which provisions are for this purpose, and with respect to such persons respectively exempted from the operation of section 26, until the expiration of their respective licenses.

SEC. 28. WHEN TO TAKE EFFECT.—This Act shall take effect on the first day of June next, except section 25, which shall take effect immediately.

Passed at Dover, Feb. 27, 1855.

THE

PROHIBITORY LIQUOR LAW

OF

INDIANA

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF SPIRITUOUS AND INTOXICATING LIQUORS,

Except in the cases therein named, and to repeal all former Acts inconsistent therewith, and for the suppression of Intemperance.

SEC. 1. MANUFACTURE AND SALE.—Be it enacted by the General Assembly of the State of Indiana, That no person shall manufacture, keep for sale, or sell, by himself or agent, directly or indirectly, any spirituous or intoxicating liquor, except as hereafter provided. Ale, Porter, Malt Beer, Lager Beer, Cider, all Wines, and Fermented Liquor which will produce intoxication, and all Mixed Liquor, of which part is spirituous or intoxicating liquor, are included in the term *intoxicating liquor*, and are within the meaning of this Act.

SEC. 2. HOME-MADE CIDER AND WINE.—No provision of this Act shall be construed to forbid the making of cider from apples, or wine from grapes, currants, or other fruit, grown and gathered in this State by the manufacturer, or the sale thereof by him; but such manufacturer, or other person on his behalf, shall not sell less than three gallons at any one sale, or to any one person; and all sold at any one sale shall be taken away at the same time. Any other manufacture or sale of cider or wine shall be deemed to be unlawful, except as herein provided.

SEC. 3. IMPORTED LIQUOR.—No provision of this Act shall be construed to forbid the sale, by any importer thereof, of any foreign spirituous or intoxicating liquor imported under the laws of the United States, and in accordance therewith: *Provided*, that such liquor, at the time of the sale, remains in, and is sold in the original casks or packages in which it was imported, and in the same quantities; but the custom-house certificates of importation, and proofs of marks on the casks or packages corresponding thereto, shall not be received as sufficient evidence that the liquors contained in said casks or packages are those actually imported therein. All other sales of spirituous or intoxicating liquor, made by any importer as such, shall be deemed to be unlawful.

SEC. 4. MANUFACTURE BY AUTHORITY.—The County Commissioners of each county may give to any person, who shall apply in writing therefor, authority to manufacture spirituous and intoxicating liquor at such places, within the county, as the Commissioners may designate, and to sell the same at such places only, in any quantity, to the duly authorized agents of the

several counties of this State. Such authority shall not continue more than one year from the date thereof, and may at any time be revoked by the Commissioners. But all persons engaged in the manufacture of such liquors at the time of the passage of this Act, shall be entitled, as a matter of right, to such authority, from the County Commissioners, to manufacture upon the terms in this section provided, which shall be renewed from year to year, so long as such manufacturer shall not violate any provision of this Act; but, in case such manufacturer shall be convicted of any such violation, his authority shall cease, and shall not be renewed. Before the Commissioners grant such authority, the applicant shall file his bond with the Auditor of the county, with two good and sufficient sureties, to be approved by the Commissioners, in a penalty of not less than one thousand dollars, nor more than six thousand dollars, payable to the State of Indiana, conditioned that the applicant will not, at any time during the year next following, in any manner or degree, violate the provisions of any law of this State touching the manufacture or sale of spirituous or intoxicating liquor. The Auditor of the county shall cause such bond to be put in suit, upon a breach of the condition thereof, in the Circuit Court, or Court of Common Pleas of the county; and if, upon the trial, the finding of the Court, or verdict of the jury, shall be that the condition of the bond has been broken as charged, the Court shall render judgment for the penalty of the bond, and declare the authority of the applicant, to manufacture and sell spirituous and intoxicating liquor, to be void from and after the first violation of said condition. And every act of the applicant, in selling any spirituous or intoxicating liquor to any person other than a duly authorized county agent, shall subject the applicant to prosecution in the same manner as if he had no authority from the Commissioners to manufacture or sell. The County Commissioners shall not grant to any person authority to manufacture or sell any spirituous or intoxicating liquor who has been found guilty of violating any provisions of this Act, or any other Act touching the sale or manufacture of spirituous or intoxicating liquors.

BOND OF MANUFACTURER.

Know all men, that we ————, principal, and we ————, sureties, are held and firmly bound unto the State of Indiana, in the penal sum of ———— dollars, for the payment whereof, well and truly to be made and done, we bind ourselves, jointly and severally, firmly by these presents: dated this ———— day of ————, A.D. ——.

Whereas, The above bound ————, principal, has been authorized, by the County Commissioners of the county of ————, to manufacture spirituous and intoxicating liquors, in ———— township, in ———— county, for the period of one year from this date. Now, therefore, the above obligation is conditioned that the said ———— will not, at any time during the year next following, in any manner or degree, violate the provisions of any law of this State, touching the manufacture or sale of spirituous or intoxicating liquor. Upon the observance of the foregoing conditions, this obligation shall be void, else to remain in full force.

SEC. 5. COUNTY AGENTS.—The County Commissioners, at any meeting of their Board, may appoint some suitable person or persons as agent or agents of the county for the purchase of pure and unadulterated spirituous and intoxicating liquor, and for the sale thereof, within such county, for medicinal, chemical, and mechanical uses only, and pure wine for sacramental use; and the Commissioners may remove any such agent at pleasure, and, if necessary, appoint another in his stead. Not more than two such

agents shall be appointed in any one township, unless the township contain over ten thousand inhabitants; in which case the Commissioners may appoint two agents for each ten thousand inhabitants, and one for each five thousand over such ten thousand inhabitants. No innkeeper, or keeper of a public eating-house, boarding-house, grocery, oyster shop, fruit store, bar-room, confectionery, or other place of public entertainment, or the keeper of, or interested in, any theater, museum, or other place of public resort, or the captain, commander, agent, clerk, or servant of, or on any vessel, boat, or water craft of any kind, shall be appointed such agent. Every agent shall hold his office one year, unless sooner removed; he shall sell such liquor only in one place, to be designated by the Commissioners; and, on the purchase and sale of such liquor, he shall conform to the rules prescribed by the Commissioners, not inconsistent with the provisions of this Act. He shall keep an account of all his purchases and sales; the date, quantity, kind, and price of the liquor, and the name of the person of whom purchased; and the date, quantity, price, kind of liquor of each sale, and the name of the purchaser, and the use intended, as stated by the purchaser. Such account shall be kept in fair legible writing, in a book purchased for the purpose, and shall at all times be open to public inspection. He shall exhibit his book of entries to the County Commissioners, whenever required by them, at any of their meetings; and he shall report to them, under oath, every three months, the price, quantity, and kinds of liquor of his purchases and sales; and in his report he shall specify the number of sales, and the intended use of each sale, as stated by the purchaser, and the amount he has remaining on hand at the end of each three months. Each agent shall receive such compensation as the Commissioners shall prescribe. He shall not be interested, except as an inhabitant of the county, in any such purchase or sale made by him, or in any profit thereof. Such agent shall sell such liquor at twenty-five per cent. over its cost price, and no more. The county shall not be liable for any debt contracted by such agent, except as herein provided.

Sec. 6. Conditions of Sale.—Any person authorized as in the last section provided, shall not sell any liquor to be used upon the premises where the same is sold; but he may sell in the following cases, and no other:

1. To any person of the age of twenty-one years, being of good character for sobriety, and an inhabitant of the county in which such liquor is sold, or of a township or city adjoining said county; provided the person selling the same shall have good reason to believe that the same is intended by the purchaser to be used for some one of the purposes in the preceding section named, and not to be sold, disposed of, or given away, or to be used on the premises; or,

2. To any person authorized to sell such liquor, as in the last section provided.

Sec. 7. Purchase of Liquor for Agents.—The County Commissioners of each county shall direct the County Treasurer to pay over to each or any of the agents so appointed by them, such sums of money, out of the treasury, as they shall deem proper for the purchase [of] liquor; or, the Commissioners may agree with the agent to furnish the liquor necessary for the business of his agency at his own expense, the Commissioners paying such agent legal interest upon the money invested, in addition to his compensation. No agent shall be re-appointed until he has made full settlement with the County Commissioners, at the close of his agency, and accounted for all money and profits, in his hands, belonging to the county, nor until he has paid over all such sums of money, if required by the Commissioners,

as they shall direct, after deducting the interest due him, and the compensation allowed by the Commissioners. Each agent, at the close of his agency, shall deliver over all liquor which he may have on hand, connected with his agency, to such other county agent as the Commissioners, at any session, or the Auditor, in vacation, may direct; he shall also pay over to the Treasurer of the county all moneys in his hands belonging to the county, retaining only sufficient to pay his compensation, and the interest on the money that may have been invested by him. When the agent, whose agency has closed, by any means whatever, has invested his own money in the purchase of any liquor which he has on hand, he shall be entitled to receive from the agent, to whom he delivers such liquor, the cost price thereof, as soon as he shall account fairly for all money that may have come into his hands in the course of his agency. The County Commissioners shall make provision for the payment of all such sums out of the County Treasury, or otherwise. If such agent shall fail or refuse to perform any duty required of him in this section, he and his sureties shall be liable, on the bond of such agent, for all damages sustained by the county in consequence thereof, and such damages, when collected, shall be paid into the County Treasury.

SEC. 8. SURETIES OF AGENTS.—Before any such agent shall be authorized to purchase and sell spirituous or intoxicating liquor, as aforesaid, he shall file his bond with the Auditor of the county, with two good and sufficient sureties, payable to the State of Indiana, in a penalty of not less than one thousand dollars, nor more than five thousand dollars, to be approved by the Commissioners, and conditioned that he will, in all respects conform to the provisions of the law in relation to his agency, and the laws of the State of Indiana touching the sale of spirituous and intoxicating liquor. Upon the breach of the condition of such bond, the Auditor shall cause the same to be put in suit in the Circuit Court, or Court of Common Pleas, of the county; and if the Court or jury shall find, upon the trial, that the condition of the bond has been broken, the Court shall render judgment against the defendants for the penalty of the bond, and costs.

BOND OF AGENT TO SELL.

Know all men, that we, ———, as principal, and we, ———, as sureties, are held and firmly bound unto the State of Indiana, in the penal sum of ——— dollars, to the payment of which we bind ourselves, jointly and severally, firmly by these presents. Dated this ——— day of ——, A.D. ——.

Whereas, the County Commissioners in the county of ———, have appointed the above-named ——— agent (or agents), to purchase and sell spirituous and intoxicating liquor, in ——— township, in ——— county. Now, the above obligation is conditioned that the said agent (or agents) shall, in all respects, conform to the provisions of the law in relation to his (or their), agency, and the laws of the State of Indiana touching the sale of spirituous and intoxicating liquor. Upon the observance of this condition, this obligation shall be void, else to remain in full force.

Approved of, etc.

SEC. 9. MANUFACTURE OF LIQUOR A MISDEMEANOR.—Every person who shall manufacture any spirituous or intoxicating liquor in this State, in violation of law, or without authority of law, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than twenty dollars, nor more than fifty dollars, for the first offense; nor less than fifty dollars, nor more than one hundred dollars, for the second offense; and one hundred dollars for any subsequent offense, and to be im-

prisoned in the county jail thirty days for each offense after the first conviction, and, in all cases, until the fine and costs are paid or replevied.

SEC. 10. SELLING OR GIVING LIQUOR A MISDEMEANOR.—Every person who shall, in violation of law, or without authority of law, by himself or agent, directly or indirectly, under any pretense whatever, sell or give to any person, for any valuable consideration whatever, or as an inducement to purchase any article of value, any spirituous or intoxicating liquor, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, for the first offense, shall be fined in any sum not less than twenty dollars, nor more than fifty dollars; and for the second offense, not less than fifty dollars, nor more than one hundred dollars; and for each subsequent offense one hundred dollars; and for each offense after the first conviction, shall be imprisoned in the county jail thirty days, and, in all cases, until the fine and costs are paid or replevied; but if such sale be made to a minor, the fine shall not be less than fifty dollars in any case.

SEC. 11. AGENTS INCURRING THE SAME PENALTIES.—All clerks, agents, and servants of every kind, employed in selling, or keeping for sale, any spirituous or intoxicating liquor, in violation of law, or without authority of law, shall incur the same penalties, and be proceeded against and charged in the same manner as principals, and may be convicted, whether the principal be convicted or not.

SEC. 12. OBTAINING LIQUOR UNDER FALSE PRETENSES.—Any person who shall purchase any spirituous or intoxicating liquor of any person authorized by the Commissioners to sell the same, under a false pretense that the purchase is for a lawful use, with intent to apply the same to an illegal use, or if any person shall apply any such liquor to an illegal use, such person shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in the sum of ten dollars, and imprisoned until the fine and costs are paid or replevied.

SEC. 13. KEEPING LIQUOR FOR SALE A MISDEMEANOR.—No person shall own or keep any spirituous or intoxicating liquor, with intent to sell the same in violation of law, or permit the same to be sold in violation of law; and every person who shall own or keep such liquor, with any such intent, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, for the first offense, shall be fined in any sum not less than twenty dollars, nor more than fifty dollars; and for the second offense, shall be fined in any sum not less than fifty dollars, nor more than one hundred dollars; and for each subsequent offense one hundred dollars; and for each offense, after the first conviction, he shall be imprisoned thirty days, and, in all cases, until the fine and costs are paid or replevied. Upon the trial of every complaint charging the defendant with owning, selling, or keeping for sale spirituous or intoxicating liquors, in violation of law, proof of the finding of the liquor, specified in the complaint, in possession of the accused, in any place, except his private dwelling-house or its dependencies (or in such dwelling-house or its dependencies, if the same be a tavern, public eating-house, grocery, or other place of public resort), shall be received and acted on by the Court, as presumptive evidence that such liquor was kept for sale contrary to the provisions of law.

SEC. 14. LIQUORS FOR SALE A NUISANCE, AND TO BE FORFEITED.—All spirituous and intoxicating liquor, intended by the owner or keeper thereof to be sold in violation of law, and the vessels containing the same, shall be deemed to be a nuisance, and shall be forfeited and be disposed of as hereinafter provided.

SEC. 15. SEARCH WARRANT.—If any three persons of good moral char-

acter, residents of the county, shall file their verified complaint or affidavit with any mayor or justice of the peace of the county, that any spirituous or intoxicating liquor is owned or kept in said county, in any place, therein particularly describing the premises, by any person, whose name shall be stated, if known to the deponents, and if the name is unknown it shall be so stated in the complaint, and is intended to be sold in violation of law, as the deponents have reason to believe, and verily do believe, the justice of the peace, or mayor, shall issue his warrant, directed to the sheriff of the county, or to any constable of the county, or marshal of the city, reciting the material part of said complaint, and directing the officer to search thoroughly the said place, to seize the liquor, with the vessels containing it, and to keep the same securely until final action is had thereon; whereupon the officer to whom the warrant may be delivered, shall execute the command of the warrant forthwith, as far as he can, and make return of his doings to the officer issuing such writ, and shall securely keep all liquors so seized by him, if any, and the vessels containing it, until final action is had thereon. But no warrant shall be issued under this Act to search any dwelling-house in which, or a part of which, no tavern, store, grocery, business office, shop, boarding or victualing house, or public room of any kind, is kept, unless the occupant thereof shall have been convicted, as herein provided, of having sold liquor in his dwelling-house, or suffered it to be done, within six months next preceding the issue thereof.

Sec. 16. Process after Seizure.—Whenever it shall appear to such justice or mayor, by the return of the officer serving the warrant, that any spirituous or intoxicating liquor has been seized by the officer, the justice or mayor shall forthwith, after the return, issue a notice to all persons concerned of the seizure, and issue a summons commanding the person so keeping or owning the liquors so seized, as aforesaid, to appear before him, at his office, at a time to be specified, not less than three, nor more than twenty days from the service thereof, to show cause, if any he has, why such liquor, so seized, as aforesaid, with the vessels containing it, shall not be forfeited, and the liquor destroyed; and the officer to whom the summons shall be directed shall serve the same forthwith, by reading to the person named therein, or by leaving a copy thereof at his place of residence, if he reside in the county, and by posting a copy of the notice in some conspicuous place on the premises where said liquor was seized. If the name of the person owning or keeping said liquor shall be unknown to the justice, he shall issue a notice only of the seizure of such liquor to all persons concerned, a copy of which shall be posted up, by the officer serving the same, in some conspicuous place on the premises where the liquor was seized, not less than three, nor more than twenty days before the day set for trial.

Sec. 17. Trial by Jury.—At the time and place set for trial, the person accused, and any other person claiming an interest in the liquor seized, may appear as defendant, and show cause, if any he has, why the liquor seized should not be forfeited. No pleading shall be required by the defendant but a denial of the charges in the complaint, and under such plea the defendant may give in evidence all matters of defense. Either party may demand a jury of any number not exceeding twelve men, or the cause may be tried by the justice or mayor where no jury is demanded. If the jury, or the justice or mayor trying the cause, find that the liquor, or any part of it, was kept for the purpose of sale, in violation of law, the justice or mayor shall enter judgment that the liquor was so seized as aforesaid, or so much thereof as was kept for such purpose, and the vessels containing it, are a nuisance, and that the same be forfeited, and that such liquor be de-

stroyed. If no person appear at the trial, after the notice has been posted up, and the summons, if one has been issued, has been served as above provided, the cause shall, in like manner, be tried by a jury, or the justice or mayor, and if it is found that the liquor seized, or any part thereof, was kept for sale in violation of law, a like judgment shall be rendered as above provided.

SEC. 18. FORFEITED LIQUOR TO BE DESTROYED.—Whenever judgment is rendered that the liquor so seized, as aforesaid, is forfeited, the justice, or mayor, or court rendering final judgment of forfeiture, shall issue an order to the proper officer, directing him to destroy said liquor, and to sell the vessels containing it as other property is sold on execution, without appraisement, and the proceeds of such sale shall be applied to the payment of the costs of the proceedings in the case. The officer shall execute such order, and return it, as required by this Act, with his doings indorsed thereon.

SEC. 19. RESTORATION OF SEIZED LIQUOR.—Whenever it is decided that liquor so seized is not liable to forfeiture, the justice, mayor, or court trying the cause shall issue an order to the proper officer to restore the said liquor, with the vessels containing it, to the place where it was seized. The proper officer shall, at the expiration of three days, execute the order, and make return thereof with his proceedings indorsed thereon, if no appeal is taken by the State.

SEC. 20. CONTRIVANCES FOR EVADING THE LAW.—Every device or contrivance made use of to deal out or sell intoxicating liquor to customers, and at the same time to conceal or disguise the person selling or dealing out such liquor, with intent to prevent the purchaser from identifying the person selling or dealing out such liquor, is hereby declared to be a nuisance, and every mayor of a city, justice of the peace, or court of common pleas, may, upon complaint made under oath, cause notice to be given to the owner or tenant of the place where such device or contrivance is used, and, after three days' notice, try the cause, and if the mayor, justice, or court, or jury trying the cause, find that such nuisance exists, such mayor, justice, or court shall order the proper officer to abate the nuisance by the destruction or removal of device or contrivance resorted to. The proper officer shall execute such order forthwith, and return it with his doings indorsed thereon.

SEC. 21. CONTRIVING TO EVADE THE LAW A MISDEMEANOR.—Every person who shall resort to any such device or contrivance specified in the next preceding section, for the purposes therein specified, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than fifty dollars, nor more than two hundred dollars, and imprisoned in the county jail not less than thirty days, nor more than ninety days, and until the fines and costs are paid or replevied.

SEC. 22. ARREST AND SEIZURE.—It shall be the duty of every sheriff, deputy sheriff, constable, marshal, or policeman, to arrest any person whom he shall see actually engaged in any violation of this Act, and to seize all liquors kept in violation thereof, at the time and place of the commission of such offense, together with the vessels containing the same, and to forthwith take such person before any magistrate of the county, to be dealt with according to law, and to store such liquor and vessels, so seized, in some safe and convenient place, to be disposed of as in this Act provided. It shall be the duty of every officer by whom any arrest and seizure shall be made, under this section, to make complaint, on oath, before such magistrate, against the person or persons arrested, and to prosecute such complaint to judgment and execution. It shall be the duty of every such officer, whenever he shall see any intoxicated person in any public place, or disturbing the public peace and quiet, to apprehend such person and take him before

some magistrate; and if such magistrate shall deem him too much intoxicated to be examined, or to answer, upon oath, correctly, he shall direct such officer to keep such intoxicated person in some safe and convenient place, to be designated by such magistrate, until he shall become sober, and thereupon, forthwith to bring him before such magistrate; and such magistrate shall then administer to such person an oath or affirmation, and examine him for the purpose of ascertaining whether any offense has been committed against any provision of this Act, by any other person; and if such witness refuse to answer any question propounded by such magistrate, touching such offense, he shall be imprisoned in the county jail until he consents to answer. If such witness shall disclose any violation of this Act, the magistrate shall reduce such examination to writing, in the form of a complaint against the person so offending, which said witness shall sign, under the penalty aforesaid, and verify the same by his oath or affirmation.

Sec. 23. Drugged Liquors.—If any person shall mix drugs with any spirituous or intoxicating liquor, to sell the same to be used as a beverage, or shall keep for sale, or sell any drugged liquor, to be used as a beverage, he shall be deemed to be guilty of a misdemeanor; and, upon conviction thereof, he shall be fined in any sum not less than twenty-five dollars, nor more than two hundred dollars, and be imprisoned in the county jail thirty days, and until the fine and costs are paid or replevied. The possession of such drugged liquor, with the usual vessels and furniture for selling liquor, shall be presumptive evidence that such drugged liquor was kept for the purpose of illegal sale.

Sec 24. Habitual Drinkers Incompetent for Jurymen.—No person who shall, at the time, be an habitual drinker of intoxicating liquor, or who shall have been engaged in the unlawful manufacture or sale of intoxicating liquor, or who shall have kept any intoxicating liquor for unlawful sale, shall, within one year thereafter, be a competent juror in the trial of any prosecution, under the laws, touching the unlawful manufacture, sale, or keeping for sale, of any spirituous or intoxicating liquors. Any person summoned as a juror may be inquired of, under oath, as to his competency relative to the matters specified in this section; and, the person inquired of shall make full and true answers, but his answers shall not be used against him in any prosecution for the same matter; or, he may decline to answer, in which case he shall be set aside as incompetent.

Sec. 25. Contracts and Bills Void.—All contracts, notes, bills, bonds, deeds, and mortgages made in consideration of the illegal sale of intoxicating liquor, shall be absolutely void; and all contracts, notes, bills, bonds, deeds, and mortgages made in part consideration of the illegal sale of intoxicating liquor, shall be void so far as the illegal consideration is concerned. All money, and every article of value of every kind, or the value thereof paid or transferred for the illegal sale of intoxicating liquor, may be recovered by the person paying or transferring the same.

Sec. 26. Mechanical and Chemical Purposes.—Nothing contained in this Act shall be so construed as to prohibit the manufacture or keeping for sale, or the sale of burning fluids of any kind, perfumery, essences, chemicals, dyes, paints, varnishes, cosmetics, solutions of medicinal drugs, medicinal compounds, or any other article which may be compounded in part of alcohol or other spirituous liquors, if not adapted to use as a beverage. *Provided, however*, that if such article is capable of being used, or is intended to be used as a beverage, or in evasion of said Act, the manufacture or keeping for sale, or sale thereof, shall be deemed a violation of this Act.

Sec. 27. City and District Attorney to Prosecute.—It shall be

the duty of the city attorney to prosecute all suits under this Act, which may be brought before the mayor of any city; and it shall be duty of the District Attorney, by himself, or by deputy, to prosecute all suits under this Act, which may be brought before a Justice of the Peace, or before the Court of Common Pleas of the county or district, and to prosecute all appeals of suits under this Act, in the circuit courts and courts of common pleas of his county or district; and where there is no city attorney he shall prosecute all suits under this Act, before the mayor of any city.

SEC. 28. COURTS AND JUSTICES.—Courts of common pleas, justices of the peace, and mayors of cities shall have original concurrent jurisdiction of all offenses against the provisions of this Act. The jurisdiction of mayors and of justices of the peace shall extend throughout the country.

SEC. 29. COMPLAINT UNDER OATH.—Every prosecution under this Act before a justice of the peace, or mayor of a city, shall be upon complaint under oath or affirmation; and every prosecution under this Act in the Court of Common Pleas, shall be upon complaint under oath or affidavit and on information founded thereon.

SEC. 30. ASSESSMENT OF COSTS.—Costs shall be assessed in proceedings under this Act as in other criminal cases, except when otherwise provided; but in all cases of conviction a docket fee of five dollars shall be taxed in favor of the Attorney who prosecutes such case; and, in the absence of the prosecuting attorney, the court trying such cause is authorized to appoint an attorney to prosecute such complaint. In case of final conviction in any appellate court, the accused party shall pay all costs, including docket fees, which may have been assessed against him in the inferior court or courts.

SEC. 31. CLAIM NOT VALID EXCEPT ON TRIAL.—If any person claiming any interest in any spirituous or intoxicating liquor seized as a nuisance, and having knowledge or notice, as required by this Act, of the seizure, shall not assert his claim upon the trial, he shall be deemed to have waived his claim, and shall not afterward assert any right thereto whatever, or any claim for damages. Judgment of forfeiture against any spirituous or intoxicating liquor, under the provisions of this Act, shall operate as a judgment, *in rem*, and the validity of such judgment shall not be contested, or questioned in any action, in any court, by any person, except by appeal of the cause in which the judgment of forfeiture is declared; and no court shall take jurisdiction of any action of replevin or any other action to try the validity of the proceedings in which the forfeiture is declared, except as herein provided.

SEC. 32. APPEAL WITHIN THIRTY DAYS.—Any person feeling aggrieved by any judgment of the Mayor of a city, or Justice of the Peace, may appeal, within thirty days, to the Court of Common Pleas, or Circuit Court of the county, but the appellant shall, before the appeal is granted, enter into a recognizance before the Justice or Mayor, with approved security in the penal sum of twice the amount of the judgment and costs, conditioned that the appellant will personally appear in the appellate court, and pay the judgment and costs that may be rendered against him, and abide the order of the court, and not depart without leave.

SEC. 33. PROCESS AFTER APPEAL.—When any appeal is taken, the magistrate shall forthwith make out a fair transcript of the proceedings, and file it with all the papers in the cause, and the appellate court shall try the cause with or without a jury, and render a judgment, and enforce it according to the provisions of this Act.

SEC. 34. CUSTODY OF SEIZED LIQUOR.—Whenever any spirituous or intoxicating liquor is seized as a nuisance under any provision of this Act, the

officer seizing it shall keep the same safely in some secure place until final judgment; and if judgment of forfeiture be given against such liquor, or any part of it, he shall deposit such liquor with the County Agent, duly appointed to sell intoxicating liquor, for safe keeping, and take his receipt therefor for safe keeping; and if no appeal is taken within thirty days, the officer shall return the receipt for safe keeping, and take and destroy the liquor under the order of the Court trying the cause. But if any appeal is taken, the officer shall return his order to the proper Court, indorsed that he had delivered the liquor so seized to the County Agent for safe keeping, and the County Agent shall keep such liquor subject to the order of the appellate court. Whenever judgment is given against the State upon the seizure of such liquor as a nuisance, the attorney prosecuting the action, or the district attorney, may cause the action to be taken to the appellate court upon appeal, at any time within three days, without any bond being filed on the part of the State. And the officer seizing the liquor shall not return it to the place of seizure until the expiration of three days; and upon an appeal being taken on the part of the State, he shall deposit the liquor seized with the County Agent for safe keeping, and make his return accordingly. Whenever final judgment is given against the State in such cause, that the liquor so seized is not a nuisance, and not subject to forfeiture, the county shall pay the costs of the seizure, carriage, safe keeping, and return of the liquors, and the fees of officers, jurors, and witnesses in such cause; but the county shall be liable for no other costs in any case except the keeping of persons under arrest and imprisonment for a violation of this Act, as in other cases.

Sec. 35. Defect in Bond.—No defect in bond, or writing, or recognizance, with security required by this Act, shall, in any manner, invalidate the same, but the person executing it shall be bound to the full extent of the law requiring the bond, writing, or recognizance.

Sec. 36. Breach of Conditions in Agent.—Every person who has been authorized to manufacture spirituous and intoxicating liquor, and given bond with sureties therefor; and every person who has been appointed an Agent to purchase and sell spirituous and intoxicating liquor, and has given bond and security therefor, as required by law, may be prosecuted in the circuit court or court of common pleas with his surety upon his bond, for a breach of the condition thereof, and may be prosecuted in a criminal proceeding for a violation of the law at the same time; and if he is found guilty and fined for a violation of the law, and the penalty of his bond shall be declared forfeited for the same violation of law, any payment made upon the fine imposed in the criminal case shall be credited upon the judgment rendered upon the bond.

Sec. 37. The Number of the Offense need not be Specified.—It shall not be necessary in any complaint, affidavit, or information under the provisions of this Act, to allege that the offense charged was a second, third, or any subsequent offense by the accused person against the same provision of this Act, but if it shall appear in evidence upon the trial that the person accused has been before convicted of the same offense with which he stands charged, the Mayor, Justice, or Court shall render judgment accordingly.

Sec. 38. Singular and Plural.—In the construction of this Act, words importing the singular number only may also be applied to the plural of persons and things; and words importing the masculine gender only may be extended to females also.

Sec. 39. Former Acts Repealed.—All acts and parts of acts inconsistent with the provisions of this Act, are hereby repealed; but such repeal of any former Act shall not affect any suit, proceeding, or prosecution com-

menced or prosecuted under the same; and all such suits, proceedings, and prosecutions now pending shall be prosecuted to final judgment and execution in the same manner as if such laws were not repealed.

SEC. 40. MAGISTRATES DEFINED.—The term magistrate as used in this Act includes Justices of the Peace, Mayors of cities, and Judges of the Courts of Common Pleas during the sitting of said Courts.

SEC. 41. NO LIQUORS TO BE GIVEN AWAY.—No spirituous or intoxicating liquors shall be given away, or be kept with intent to be given away, in any tavern, boarding-house, public eating house, grocery, oyster shop, store, bar-room, confectionery, or other place of public entertainment; or in any theter, museum, or other place of public resort; or on any steamboat, or other craft, carrying passengers; and for any violation of this section, the person so offending shall be fined [to] the same extent as for selling such liquor contrary to this Act.

SEC. 42. WHEN TAKE EFFECT.—This Act shall take effect and be in force from and after the twelfth day of June next; and the Secretary of State shall cause one thousand copies thereof to be printed in pamphlet form, as soon as practicable, and transmit three copies of the same to the Clerk of each of the Circuit Courts of this State, who shall file the same in his office; and said Clerk shall immediately, upon the reception of such copies, forward a certificate, under the seal of such Court, to the Secretary of State, and a like certificate to the Governor, of the time of the filing of this Act in his office; and when such certificate has been received from all the counties of this State, the Governor shall publish his proclamation, stating such fact, which shall be received in evidence, in all the Courts in this State, of the fact of such filing.

ASHBEL P. WILLARD,
President of the Senate.
DAVID KILGORE,
Speaker of the House of Rep's.

Approved February 16th, 1855.

JOSEPH A. WRIGHT.

STATE OF INDIANA: }
Office of the Secretary of State—TO WIT: }

I hereby certify that the above and foregoing Act of the Legislature of said State, is a correct copy of the enrollment now on file in my office, except words inserted [thus] in order to aid the sense.

In testimony whereof, I have hereunto set my hand, and affixed the Seal of State at the City of Indianapolis, this 14th day of March, A. D. 1855.

[L. S.] ERASMUS B. COLLINS,
Secretary of State.

THE

PROHIBITORY LIQUOR LAW

OF

MAINE.

AN ACT FOR THE SUPPRESSION OF DRINKING HOUSES AND TIPPLING SHOPS.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SEC. 1. MANUFACTURE AND SALE PROHIBITED.—The manufacture, sale, keeping or depositing for sale of intoxicating liquors, is prohibited except as is hereinafter provided. The term intoxicating liquor used in the Act, means and includes every liquid preparation that will produce intoxication. No such liquor shall be sold except for medicinal and mechanical uses, by agents duly appointed for that purpose, as in this Act is provided. Such agents may sell to the Selectmen of towns, the Mayor and Aldermen of cities, and to the assessors of plantations, for the supply of agencies as established by this Act, in their respective cities, towns, and plantations. No other person shall sell such liquors for any purpose. Agents may be appointed under this Act by the Mayor and Alderman of cities, the Selectmen of towns, and the assessors of plantations, in their respective cities, towns, and plantations, as soon after the first day of May next as may be, who shall hold their office until others are appointed under this Act in their places, unless sooner removed, as by this Act is provided. No more than one such agent shall be appointed in any city or town for the same term of time. Such agent may be appointed by the Mayor and Aldermen of cities, and the Selectmen of towns, and assessors of plantations, as soon after the annual March meeting in each year as may conveniently be done. He shall hold his office one year, and until another is appointed in his place, unless sooner removed. The appointing board have the power of removal. Vacancies by removal or otherwise shall be filled as soon as may be. His compensation shall be such as the board shall prescribe. He shall conform to such rules and regulations in the sales of liquors as this Act provides, and as the board shall in writing prescribe, not inconsistent with this Act; which rules and regulations, and also his appointment, shall be in writing, and shall within seven days after the appointment be recorded in the records of such city or town. He shall sell only for cash, and shall keep an accurate account of all purchases made for him by the Selectmen, assessors, or Mayor and Aldermen of his city, town, or plantation, with the date, the quantity and price of each purchase or parcel; also, of every sale by him made, with the name of the pur-

chaser, the purpose for which purchased, the quantity, price, and date of the sale, which account shall always be open to the inspection of the appointing board. He shall annually, on the first day of December, make a report, by him signed and sworn to, to the board appointing him, of the quantity of each kind of liquor sold by him under this Act for the year ending that day, and of the amount of money received for the same, and the said board shall, before the 20th day of said December, transmit a certified copy of the same to the Secretary of State, to be by him laid before the legislature. He shall sell to no one unless he knows him to be an inhabitant of his city, town, or plantation. He shall not sell to any minor, servant, or apprentice, without the written order of his parent, guardian, or master, nor to any intemperate person, nor to any Indian. He shall not sell to any person by reason of having himself prescribed the medical use of the liquors sold. He shall have no interest in the liquor sold, nor in the profits of the agency. He shall be a person of sober life, and not addicted to the use of intoxicating liquors. No one who has been convicted of selling liquor contrary to law shall be appointed such agent. No innholder, tavern-keeper, or trader shall be appointed such agent. He shall, whenever requested by any Justice of the Peace of his County, exhibit to him his said appointment, and the said accounts of the purchases and sales, and permit him to take minutes or copies of the same. If the Justice find that he has violated any of the provisions of this Act, he may require the appointing board to inquire into the charge, and to remove him if sufficient cause appear, and to put his bond in suit. If such agent knowingly violate any of the provisions or restrictions of this section, he shall be liable to be indicted and punished as a common seller. Before entering upon the duties of his office, he shall give a bond to the city, town, or plantation, with two good and sufficient sureties, in a sum not less than six hundred dollars, which bond shall be in substance as follows:

Know all men, that we, as principal, and and as sureties, are holden and stand firmly bound to the inhabitants of the town of (or city, as the case may be), in the sum of hundred dollars, to be paid to them, to which payment we bind ourselves, our heirs, executors, and administrators, firmly by these presents. Sealed with our seals, and dated this day of , A.D. .

The condition of this obligation is such, that whereas the above bounden has been duly appointed an agent for the town (or city) of , to sell within, and for and on account of said town (or city), intoxicating liquors for medicinal and mechanical purposes, and no other, until the of , A.D. , unless sooner removed from said agency.

Now if the said shall in all respects conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations as now are or shall be from time to time established by the board making the appointment, then this obligation to be void; otherwise to remain in full force. The Mayor and Aldermen of any city, and the Selectmen of any town, and assessors of any plantation, whenever complaint shall be made to them that a breach of the conditions of the bond given by any person appointed under this Act, has been committed, shall notify the person complained of, and if upon a hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever any breach of any bond given to the inhabitants of any city or town in pursuance of any of the provisions of this Act shall be made known to the Mayor and Aldermen, or Selectmen, or shall in any manner come to their knowledge, they or some one of them shall, at the ex-

pense and for the use of said city or town, cause the bond to be put in suit in any court proper to try the same.

SEC. 2. FINES AND IMPRISONMENT FOR SALE.—If any person shall, by himself, clerk, servant, or agent, at any time sell any intoxicating liquors in violation of the provisions of this Act, he shall, for the first conviction, pay a fine of twenty dollars and costs, and be imprisoned thirty days; for the second conviction, he shall pay a fine of twenty dollars and costs, and be imprisoned sixty days; for the third conviction, he shall pay a fine of twenty dollars and costs, and be imprisoned ninety days; for the fourth and every subsequent conviction, he shall be deemed a common seller, and he shall pay a fine of two hundred dollars and costs, and be imprisoned six months in the common jail or house of correction; and in default of the payment of the fines and costs prescribed by this section, for the first and second and third conviction, the convict shall not be entitled to the benefit of chapter one hundred and seventy-five of the Revised Statutes, until he shall have been imprisoned two months; and in default of payment of fines and costs provided for in the fourth and every subsequent conviction, he shall not be entitled to the benefit of said chapter one hundred and seventy-five of the Revised Statues, until he shall have been imprisoned four months after the said six months. And if any clerk, servant, agent, or other person in the employment or in the premises of another, shall violate any of the provisions of this section, he shall be held equally guilty with the principal, and on conviction shall suffer the same penalty.

SEC. 3. FINES AND IMPRISONMENT FOR MANUFACTURING.—No person shall be allowed to be a manufacturer of any intoxicating liquor, on pain of forfeiting on the first conviction the sum of two hundred dollars and costs of prosecution, and six months' imprisonment in the common jail or house of correction; and on the second conviction, the person so convicted shall pay the sum of four hundred dollars and costs of prosecution, and shall be imprisoned nine months in the common jail or house of correction; and on the third and every subsequent conviction, shall pay the sum of one thousand dollars and costs, and shall be imprisoned one year in the State Prison; said penalties to be recovered by indictment in any court of competent jurisdiction.

SEC. 4. REGULATIONS REGARDING APOTHECARIES.—No apothecary or druggist shall keep or use any such liquors for any other purpose than the preparation of medicines ordered by a physician of sober life and not addicted to the use of intoxicating liquors, whose name shall be subscribed to the prescription to be put up or prepared by such druggist or apothecary, in his own shop; and he shall not suffer any such liquor to be drank on his premises, or to be carried away to be drank or used elsewhere. No druggist, apothecary, artist, or manufacturer shall keep or use such liquors for any other purposes than the common uses made thereof in his art or manufactory, and he shall not suffer any such liquors to be drank on his premises or to be carried away therefrom. If any apothecary or druggist, artist or manufacturer, shall violate any of the provisions of this section, he shall, on conviction for the first offense, be punished by a fine of one hundred dollars and costs, and three months' imprisonment in the common jail or house of correction, and for the second and every subsequent conviction, by a fine of two hundred dollars and costs, and imprisonment in the common jail or house of correction, six months.

SEC. 5. REGULATIONS REGARDING TRAVELERS.—No person shall travel from place to place in this State, conveying with him personally or in any carriage or vehicle, any intoxicating liquors, including every kind of beer,

cordials, and liquid preparations, purporting to be medicinal, a part of which is composed of intoxicating liquors, with the intention to sell or use the same, in any manner forbidden by this Act, under a penalty for the first conviction of a fine of twenty dollars and costs, and thirty days' imprisonment; for the second conviction, twenty dollars and costs, and sixty days' imprisonment; for the third conviction, a fine of twenty dollars and costs, and ninety days' imprisonment, and for the fourth and every subsequent conviction, he shall be deemed a common seller, and punished by a fine of two hundred dollars and costs, and six months' imprisonment in the common jail or house of correction. Any person offending against the provisions of this section shall be liable to be arrested on a warrant on the complaint or oath of any citizen of the State, on which warrant his person, carriage, or vehicle may be searched, and such liquors, if found thereon, seized. Such complaint and warrant, and the subsequent proceedings thereon, shall be substantially the same in form and substance as in this Act is provided in cases of arrest, search, and seizure of liquors kept and deposited in the manner forbidden by this Act.

Sec. 6. Liquors Conveyed Through this State.—All such liquors brought into this State for the purpose of being conveyed through the State to places beyond its borders, shall not be kept or deposited in any city or town in this State for the space of more than twenty-four hours (the hours of Sunday excepted), except in case of inevitable accident, and if so kept, shall be liable to be seized and forfeited, under the provisions of this Act, as being kept and deposited for unlawful sale; and if such liquors shall be seized on a warrant, and proceeded with as this Act required and directs, and the respondent shall allege in defense against such process, that such liquors were in transitu, and not intended for sale in the State, it shall be sufficient to show on the other side that such liquors were kept or deposited in any city or town in the State for the space of more than twenty-four hours. Whenever any such liquors shall be seized, and on trial the owner or keeper shall claim that they were in transitu, and therefore exempt from seizure, he shall set forth in the claim the name of the place to which they were about to be carried, and if on trial it shall appear that the liquors are of such description, as to the quantities of the casks or packages in which they are contained, or in other respects as are by the revenue or other laws of the Province or State to which they were so to be carried, prohibited to be introduced therein, that fact shall be sufficient evidence that they were kept and deposited for unlawful sale within this State.

Sec. 7. Regulations regarding Express-Men, Carriers, etc.—No stage driver, express-man, common-carrier, teamster, or other agent, shall carry from place to place within this State any such liquors, except for agencies provided for in this Act, under a penalty of a fine of twenty dollars and costs for the first conviction, twenty dollars fine and costs and thirty days' imprisonment for the second conviction, two hundred dollars fine and costs and three months' imprisonment for the third conviction, and four hundred dollars fine and six months' imprisonment for the fourth and every other subsequent offense. Such carrying shall be prima facie evidence of intention to violate the provisions of this section, subject however to such evidence as may be adduced on the part of the defendant to show that he had no such intention.

Sec. 8. Search and Seizure.—If three persons who are competent to be witnesses in civil suits, resident within the county within which the complaint shall be made, shall make complaint upon oath or affirmation before any judge of a municipal or police court or justice of the peace, that they

have reason to believe, and do believe, that intoxicating liquors are kept or deposited in any building or place, other than a dwelling-house, no part of which is used as a shop, or for purposes of traffic, by a person or persons named in said complaint, or by a person or persons unknown, not authorized by law to sell the same, within the city, town, or plantation where they are alleged to be so kept or deposited, and that said liquors are intended for sale within this State in violation of law, such magistrate shall issue his warrant, directed to any sheriff, deputy sheriff, marshal, deputy marshal, constable, or police officer, having power to serve such process, commanding such officer to search the premises described in said complaint, which premises shall also be described in said warrant; also to search any yard or building (other than such dwelling-house), adjoining the premises described in said warrant, if occupied by the same person occupying the premises described in said warrant; and if any such intoxicating liquors are there found, to seize the same, with the vessels in which they may be contained, and to convey them to some proper place of security to be there kept until final action upon such complaint. And the officer having such warrant shall be authorized by virtue thereof to make the search directed by such warrant to be made, and to seize and dispose of any such liquors as in this Act is provided. And such officer shall, in his return on such warrant, designate and describe the liquors by him so seized, and the vessels in which they are contained, with reasonable certainty. And if the name of the person or persons by whom such liquors are alleged to be so kept or deposited shall be stated in said complaint, the officer shall be commanded in and by said warrant, if he find such liquors, to arrest such person or persons, and have them forthwith before the judge or justice by whom such warrant was issued, to answer to said complaint, and show cause why said liquors should not be forfeited. Any such person so arrested and brought before such judge or justice may plead not guilty to such complaint and may show in defense thereto that said liquors were not so kept and deposited intended for sale contrary to law, or that they were imported under the laws of the United States, and in accordance therewith; that they are contained in the original packages in which they were imported, and in quantities not less than the laws of the United States prescribe. And such defense being established, the judge or justice may order such liquors to be restored to the defendant, if satisfied that he is the lawful owner or keeper thereof. But custom-house certificates of importation, and proofs of marks on the casks and packages corresponding thereto, shall not be received as evidence that the identical liquors contained in said packages and casks were actually imported therein. And if upon the trial neither of the said grounds of defense shall be established, and if in the opinion of the court, upon the evidence produced, said liquors were kept or deposited by such person or persons for purposes of sale contrary to law, such person or persons being found guilty shall each be punished by a fine of twenty dollars and costs and thirty days' imprisonment, and also shall be imprisoned thirty days' in default of payment of the fine and costs. And the liquors so seized, with the vessels in which they are contained, shall be declared forfeited, and such adjudication shall be a bar to any claim for the recovery of the same, or the value thereof, and they shall on written order of said judge or justice be destroyed. And the officer to whom such order is directed, shall make return thereon of his doings in the premises. If, however, upon trial the judge or justice shall find the person or persons so charged in the complaint, not guilty, or if it shall appear that he is not the lawful owner or keeper thereof, he shall, if satisfied that the liquors so seized were so as aforesaid kept and deposited for unlawful sale by some person or

persons not named in the complaint, decline to order them to be restored, and shall proceed therewith as is hereinafter provided.

SEC. 9. PROCESS AFTER SEIZURE.—When any intoxicating liquors shall be seized or taken upon a warrant, under any of the provisions of this Act, and the person keeping or depositing the same named in the warrant shall not be arrested, or if the name of the person keeping or depositing the liquors, or from whom the same are taken, is not inserted in said warrant, or if such liquors shall not under some of the provisions of this Act be restored to the person from whose keeping or possession the same were taken, the officer who served the warrant on which they were taken or who made the seizure, if they were taken without warrant, shall proceed to libel them, in substance as follows:

To A. B., a Justice, etc. The libel of C. D., of , shows that he has seized certain intoxicating liquors, described as follows: because the same were kept and deposited at or in (describing the place of seizure) intended for sale within this State, in violation of law, or because the same were found in a tent or shanty, etc. Wherefore he prays for a decree of forfeiture of the same, and that the same may be ordered to be destroyed according to the provisions of the statute in such case made and provided.

(Date.) (Signed.)

And thereupon the said Justice shall issue his monition in substance, as follows:

State of Maine. County of

[L. S.] To all persons interested in (here insert the description of the liquors, as in the libel). The libel of C. D. of , this day filed with me, A. B., Justice, etc., shows that he has seized said liquors, because, etc. (as in the libel), and prays for a decree of forfeiture, and that the same may be ordered to be destroyed, according to the provisions of the statute in that case made and provided.

You are, therefore, hereby notified thereof, that you may appear before me the said Justice, at , on , and then and there show cause why said liquors should not be decreed forfeited and ordered to be destroyed.

Given under my hand and seal, etc., etc. (Signed)

The time for the hearing shall not be less than one nor more than two weeks from the date of said monition, and service shall be made thereof by posting up an attested copy of the same in some public and conspicuous place in the town or place where the seizure was made, at least seven days before said day of hearing. If no claimant shall then appear, the Justice shall, on proof of notice as aforesaid, by a proper return of the same upon the monition, adjudicate on the premises and declare the liquors so seized, and the vessels in which they are contained, to be forfeited, and order the same to be destroyed; and such adjudication shall be a bar to any claim for the recovery of the same or the value thereof. And if any person shall then appear and claim the said liquors, or any part thereof, as his own property, he shall make said claim in writing, in substance as follows:

E. F., of , comes and avers that he is the lawful owner of (here insert the particular liquors or parcels claimed, as set forth in the libel), in the libel in that behalf mentioned; and he avers that the same were not kept or deposited for the purpose or with the intent of unlawful sale within

the State of Maine, as in said libel is set forth. Wherefore he prays that the same may be restored to him.

(Date.) (Name.)

And he shall verify his claim by oath, by him signed and sworn to, in substance as follows:

I, E. F., do swear to the truth of the claim by me above interposed.

(Date.) (Name.)

Subscribed and sworn before me, A. B., Justice of the Peace.

Sec. 10. Regulations for Claimants.—If the claimant be a resident within this State, he shall, personally, in presence of the Court, sign and make oath to his claim, unless in case of actual bodily disability, in which case the claim may be signed and sworn to before any Justice of the Peace within the State. If the claimant be not a resident of this State, the claim and verification may be made, in substance as above, by the person in whose custody said liquors were kept and deposited at the time of the original seizure, on the warrant or otherwise. If there be more claimants than one, each shall set forth and verify his claim in substance as aforesaid. Such claimant in behalf of persons not residing in the State shall, before a hearing is had, deliver to the said Justice a bond by him signed, with two good and sufficient sureties, inhabitants of the State, in a sum not less than two hundred dollars, conditioned to pay all such costs as shall be recovered against him on final judgment in the case, and thereupon proofs may be introduced; and the claimant shall be held to show affirmatively, that the liquor by him claimed was kept and deposited for a lawful purpose, and not for unlawful sale or use; and may be heard by himself and counsel, or either; and the libellant shall have the closing argument. The proof introduced on either side may be by testimony of witnesses before the Court, or by deposition taken according to law. It shall be a sufficient cause for the taking of such deposition, that it is to be used in the trial of a libel for liquors seized, before (here insert the name of the Justice, etc.), in which the said (here insert the name of the claimant) is claimant. And if upon the hearing, the Court shall consider and adjudge that the said liquors, or any part thereof, were so kept or deposited for the purposes of unlawful sale or use within this State, judgment shall be entered accordingly, that the said liquors and the vessels in which they are contained, shall be forfeited and destroyed, and for costs against such claimant; and if the Court shall consider and adjudge that the said liquors, or any part thereof, were not so kept or deposited, with any intent of unlawful sale or use within this State, judgment shall be entered accordingly; and if the claimant shall show to the satisfaction of the Court that he is the owner or lawful agent of the owner for this purpose, the Court shall order the same to be restored to the claimant; but no costs shall be allowed him, unless the court shall certify that there was no probable cause for the seizure; and no cost shall in any event be allowed to any claimant, if the judgment of the Court shall be that any part of the liquor seized on the said warrant was kept or deposited with any intention of unlawful sale or use within this State. In the costs so to be taxed and paid by the claimant, shall be included, in addition to Court, officer, and witness fees, all reasonable costs and expenses of seizing, removing, and taking care of said liquor until final judgment. The order to destroy such liquor may be in substance as follows:

State of Maine, ss. (Date.)

To A. B., having in custody the liquor described in the libel filed before me, dated 185 , signed by .

You are hereby commanded, in performance of the final judgment of the Court in said case, to destroy (here describe all packages and parcels to be destroyed) by pouring the same out upon the ground; and also to destroy the vessels in which the same are contained; and you are to take with you as witness thereof A. B. and C. D., and to make due return of this order, with their certificate that they witnessed its full execution indorsed thereon, within twenty-four hours from the date hereof. (Signed.)

And if the final judgment shall be that the liquors be restored to the complainant, the order shall be the same in substance as before, except that it shall be to restore (here describe each parcel to be restored) to E. F., the claimant of the same, on reasonable request, at the place where the same are by you now held in keeping, and take his receipt for the same, and make due return of this order within twenty-four hours thereafter. If the said liquor shall not be demanded of the said Officer within three months after the date of such order, the Officer shall, without further precept, destroy the same and make return thereof on the said order. And if the whole or any part of the liquors described in such libel shall not be claimed by any person as aforesaid, the said Court shall consider and adjudge that the same be forfeited and destroyed, and shall issue an order for this purpose, in substance as is before provided. And these proceedings shall be a bar to any claim for the recovery of the same or the value thereof. The claimant may appeal. The libellant also may appeal. Any such claimant, in his own right or as the agent of the owner, shall be liable to be arrested upon a warrant duly issued, and tried for keeping or depositing such liquors contrary to the provisions of this Act either before or after the trial or final judgment and order on such libel.

Sec. 11. Search of Private Dwellings only on Oath.—No warrant shall issue for the search of any dwelling-house in which a family resides, or in which or part of which a shop is not kept, or other place is not kept for the sale of such liquors, unless it shall be first shown to the Magistrate, before a warrant is issued for such search, by the testimony of witnesses upon oath, that there is reasonable ground for believing that such liquors are kept or deposited in such dwelling-house or its appurtenances, intended for unlawful sale in such dwelling-house or elsewhere, which testimony the Magistrate shall reduce to writing and cause to be signed and verified by oath or affirmation of such witnesses, and upon such testimony so produced and verified, he may, upon complaint of three persons competent to be witnesses in civil suits, resident in the county, issue his warrant in like manner and form as is provided in the 8th section of this Act, commanding the Officer to search such dwelling-house and its appurtenances, and if any such liquors are found therein, to seize the same, together with the vessels in which they are contained, and also to arrest the owner or keeper thereof if named in said complaint, and the subsequent proceedings shall be conformable to the requirements of the 8th, 9th, and 10th sections of this Act, as the case may be. No dwelling-house, inn, tavern, or other building in which or part of which a shop is kept for traffic, or office, bar, or other place is kept for the sale of liquors shall be entitled to the protection from search provided in this section, but shall be liable to be searched in the manner provided in the 8th section of this Act. And any of the said witnesses who shall be convicted of giving false testimony knowingly and willfully in the statements so subscribed and verified shall be punished therefor

by imprisonment in the State Prison for the term of two years. The finding of such liquors upon search in a dwelling-house shall not of itself be evidence that they are kept or deposited therein intended for unlawful sale.

Sec. 12. Arrest when Seizure is Prevented.—If any Officer, having a warrant issued under this Act committed to him directing him to seize any such liquors and to arrest the owner or keeper thereof, shall be prevented from seizing the liquors by their being poured out or otherwise destroyed, he shall arrest the owner or keeper and bring him before the Magistrate, and he shall make return upon the warrant that he was prevented from seizing the liquors by their being poured out or otherwise destroyed, as the case may be, and in his return he shall state the quantity so poured out or destroyed, as nearly as may be, and the Magistrate shall put the owner or keeper so arrested upon trial; and if, on trial, it shall appear by competent testimony that such liquors were so poured out or destroyed, and that the liquors so poured out or destroyed were such as were described in the warrant, and that they were so kept or deposited intended for unlawful sale; and if the person so arrested shall be found to be the owner or keeper thereof, he shall be fined and sentenced in the same manner as he would be if the liquors described in the warrant and in the return had been seized on the warrant and brought before the Magistrate by the Officer.

Sec. 13. Sale of Liquor at Public Places.—It shall be the duty of any Mayor, Alderman, Selectman or Assessor, City Marshal or Deputy, or Constable, or Police Officer of any place, if he shall have information that any intoxicating liquors are kept for sale or sold in any tent, shanty, hut, or place of any kind for selling refreshments in any public place, or near the ground of any camp-meeting, cattle show, agricultural exhibition, military muster, or public occasion of any kind, and shall believe said information to be true, forthwith to enter a complaint before some Judge of a Municipal or Police Court or Justice of the Peace, against the keeper or keepers of such place, alleging in said complaint that he has reason to believe, and does believe, that such liquors are so kept in such place (describing the same) by such keeper or keepers contrary to law. And upon such complaint the said Judge or Justice shall issue his warrant, commanding the Officer who may serve the same to search the place described in said complaint, and which shall be described in said warrant. And if he shall find upon said premises any such liquor, to seize the same with the vessels in which they may be contained, and to arrest the keeper or keepers thereof, and have said keeper or keepers, with the liquors and vessels so seized, as soon as may be, before said Judge or Justice, to be dealt with according to law. And the Officer to whom said warrant may be committed shall forthwith execute the same, and said keeper or keepers when arrested shall be tried thereon in due course of law, and upon proof that said liquors are intoxicating, that they were found in possession of the accused in a tent, shanty, hut, or other place as aforesaid, he or they shall be found guilty, and sentenced to be punished by imprisonment in the County jail for thirty days, and to pay all costs of such proceedings, and the liquors and vessels so seized shall be destroyed by order of the Court in the manner before provided in this Act. Any Mayor or Alderman, Selectman, Assessor, City Marshal or his deputy, Constable, Police Officer, or Watchman in his City or Town, or Plantation, may take into his custody any such liquors, and the vessels in which they are contained, which he shall find at any place, by day or night, if he have reason to believe they are kept or deposited and intended for unlawful sale in this State, and detain the same until a warrant can be procured under which proceedings shall be had

against such liquors and the owner or keeper, in like manner as is provided in case of such liquors taken in a tent, shanty, hut. or other place. If any person arrested, tried, and sentenced, as set forth in this section, shall appeal from such sentence, the Judge or Justice shall grant the appeal, and order him to recognize in the sum of one hundred dollars, with sufficient sureties for his appearance, and for prosecuting his appeal, and he shall stand committed till the order is complied with; and the Judge or Justice whose judgment is appealed from shall furnish full copies of all the proceedings in the case at the expense of the appellant. And if judgment is rendered against the appellant in the Appellate Court he shall be punished, and the liquors seized and vessels dealt with as is above provided in this section; and if said appellant shall fail to appear and prosecute his appeal, or to abide and perform the judgment of the Appellate Court, the recognizance shall be forfeited, and the liquors and vessels shall be disposed of as aforesaid by order of the Court.

Sec. 14. Right of Appeal.—If any person shall appeal from any sentence of such Judge or Justice, as set forth in the 8th and 10th preceding sections, the Judge or Justice shall grant his appeal and order him to recognize in the sum of two hundred dollars, with sufficient sureties for his appearance and for prosecuting his appeal, and he shall stand committed till the order is complied with. And the Judge or Justice whose judgment is appealed from shall furnish a full copy of all the papers and proceedings in the case at the expense of the appellant. And if judgment is rendered against the appellant in the Appellate Court he shall be punished, and the liquors seized, with the vessels in which they are contained, shall be dealt with and disposed of as before is provided. And if such appellant shall fail to appear and prosecute his appeal, or to abide and perform the order and judgment of the Appellate Court, the recognizance shall be forfeited, and the liquor shall be disposed of as aforesaid, by libel or otherwise, by order of said Court.

Sec. 15. The Liquors Protected by Law.—No such liquors owned by any City, Town, or Plantation, or kept by any agent of any City, Town, or Plantation, as is provided in this Act, or by any such chemist, artist, or manufacturer, shall be protected against, seizure and forfeiture, under the provisions of this Act, by reason of such ownership, unless all the casks and vessels in which they are contained shall be at all times plainly and conspicuously marked with the name of such City, Town, or Plantation, and of its agent, or as the case may be, with the name, residence, and business of every such chemist, artist, and manufacturer. If any such agent shall knowingly and willfully, with intent to prevent the same being seized on any such warrant, or to cause the same to be released, having been seized on such warrant, make claim to any such liquors as being the property of the City, Town, or Plantation for which he is such agent, when in fact such liquors were not the property of such City, Town, or Plantation, he shall, on conviction, be sentenced to pay a fine of one hundred dollars and costs, and shall be removed from his office with forfeiture of his bond. Whenever any such liquors shall be seized bearing such marks as are by this Act required to be put upon liquors owned by Cities, Towns, or Plantations, or by chemists, artists, or manufacturers, when such liquors are in fact not owned by any such City, Town, or Plantation, or by any such chemist, artist, or manufacturer, such false and fraudulent marking shall be conclusive evidence that the same are kept or deposited for unlawful sale, and render them liable to forfeiture under the provisions of this Act. The liquors kept for sale by such agent shall not be adulterated or factitious; and if

the liquors so kept are adulterated or factitious they shall not be protected from seizure and forfeiture by reason of being kept for sale by such agents.

SEC. 16. DELIVERY AN EVIDENCE OF SALE. — Whenever an unlawful sale is alleged, and a delivery proved, it shall not be necessary to prove a payment, but such a delivery shall be a sufficient evidence of sale. Whenever an unlawful sale is made by one person, a delivery by another, and payment received by a third, each shall be liable to the penalties of this Act for the offense. A partner in business shall be liable for the unlawful keeping or selling of his copartner done in the copartnership business, or by any other person, in any shop, store, or other place of business of such copartnership, with his knowledge and assent. A principal and his agent, clerk, and servant may all be included in the same complaint and process. The name of the owner and the kind and quantity of liquors to be seized need not be set forth in the complaint and warrant, provided the description is sufficiently certain to show what is intended to be seized; the process may be amended in any matter legally amendable at any time before final judgment. Any Mayor or Alderman, Selectman or Assessor, may cause a suit to be commenced on any bond or recognizance given under this Act in which his City, Town, or Plantation is interested, and the same shall be prosecuted to final judgment unless paid in full with costs. If any execution or other final process issued in any civil or criminal suit instituted under this Act shall be placed in the hands of any proper officer to be by him executed, and he shall unreasonably neglect or refuse so to do, an action may be commenced against him by any voter in the County for such neglect, and prosecuted to final judgment, which shall be for the full amount of the debt, costs, and interest on such execution; and if it be a process that requires him to take and commit an offender to prison, the damages shall not be less than fifty dollars nor more than five hundred dollars. Such suit shall be an action on the case, in the name of the City, Town, or place in which the original offense, on account of which said process was issued, was committed.

SEC. 17. WRIT OF ERROR NOT TO QUASH INDICTMENT.—No writ of error, or other process, shall lie to quash or make void the doings of any such magistrate under this Act, by reason of any defect or want of sufficiency in any complaint, warrant, or other process under this Act, which might, before final judgment, have been amended on motion. In addition to the fees allowed by law, there shall be paid to such Judge or Justice, for taking any bond, fifty cents; for making the order for the destruction of liquors and vessels, fifty cents; to the officer for seizing the liquors and vessels, one dollar; for removing and keeping the same, fifty cents and reasonable expenses; for executing and making return of an order to destroy the liquors and vessels, one dollar; all of which fees shall be taxed in the costs to be paid by the defendant.

SEC. 18. PERSONS FOUND INTOXICATED.—Any person hereafter found intoxicated in any of the streets or highways, or being intoxicated in his own house, or in any other building or place, and who, in such house, building, or place, shall become quarrelsome, or in any way disturb the public peace, or that of his own or any other family, so as to render it necessary for the police or peace officers to interfere, may be taken into custody by any sheriff, deputy sheriff, constable, marshal, deputy marshal, police officer, or watchman, and committed to the watch-house or restrained in some other suitable place, till a complaint can be made and warrant issued in due form, upon which he may be arrested and tried, and if found guilty of being intoxicated in the streets or highways, or of being intoxicated in his

own house, or any other building or place, and becoming quarrelsome and disturbing the public peace, or that of his own or any other family, he shall be punished by imprisonment in the common jail for thirty days; but said Judge or Justice may remit any portion of said punishment, and order the prisoner to be discharged, whenever the person so arrested shall make such disclosures or furnish such evidence as will authorize a warrant to be issued for an offense against some of the provisions of this Act, against the person of whom he procured or received the liquors whereby he became intoxicated.

SEC 19. RECOVERY OF PENALTIES.—Any penalties or forfeitures, the recovery of which is not otherwise provided for in this Act, may be recovered by complaint or indictment in any court proper to try the same. All bonds and recognizances given by appellants or other persons, shall be to the State of Maine, except as otherwise provided in this Act. In all cases of appeal from the judgment of a Judge of a Municipal or Police Court or Justice of the Peace, the appellant, if convicted by the jury, shall be sentenced to pay and suffer the same fines, penalties, and imprisonment which might be awarded against him by such Judge or Justice, with additional costs. The appellate court shall have power to make any adjudication or order, or to pass any sentence which the court appealed from might have made or passed.

SEC. 20. RECOGNIZANCE FOR PROSECUTING APPEAL.—If any person shall claim an appeal from the sentence of a Judge or Justice, except as in this Act is otherwise provided, the Judge or Justice shall grant his appeal and order him to recognize in the sum of one hundred dollars, with sufficient sureties for his appearance and for prosecuting his appeal; and he shall stand committed till the order is complied with. And no recognizance shall be taken in cases arising under this Act, except by the Judge or Justice before whom the trial was had, and if the recognizances mentioned in this section shall not be given within twenty-four hours after judgment, the appeal shall not be allowed.

SEC. 21. LIQUOR SELLERS INCOMPETENT TO ACT ON JURY.—No person engaged in the unlawful traffic in intoxicating liquors shall be competent to sit upon any jury in any case arising under this act; and when information shall be communicated to the Court, that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the Court shall inquire of the juryman of whom such belief is entertained; and no answer which he shall make shall be used against him in any case arising under this Act; but if he shall answer falsely, he shall be incapable of serving on any jury in this State; but he may decline to answer, in which case he shall be discharged by the Court from all further attendance as a juryman.

SEC. 22. PRECEDENCE IN SUPERIOR COURT.—All cases arising under this Act, by indictment or complaint, which shall come before a Superior Court, either by appeal or original entry, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest, awaiting a trial; and the Court and prosecuting officer shall not have authority to enter a *nolle prosequi* or to grant a continuance in any case arising under this Act, either before or after a verdict, except where the purposes of justice shall require it.

SEC. 23. CONVEYANCES ON ACCOUNT OF ILLEGAL SALES NULL AND VOID.—All payments or compensation for liquors sold in violation of law, whether in money, labor, or other property, either real or personal, shall be held and considered to have been received in violation of law, and without consideration, and against law, equity, and a good conscience; and all sales,

transfers, and conveyances, mortgages, liens, attachments, pledges, and securities of every kind, which either in whole or in part shall have been for or on account of intoxicating liquors, except such liquors as may be sold according to the provisions of the first section of this Act, shall be utterly null and void against all persons and in all cases, except subsequent purchasers of real estate for valuable consideration, without notice, and *bona fide* holders of negotiable paper without notice, and no rights of any kind shall be acquired thereby; and in any action, either at law or equity, touching such real or personal estate, the purchaser of such liquors may be a witness for either party. And no action of any kind shall be maintained in any court in this State, either in whole or in part, for intoxicating liquors sold in any other State or country whatever, nor shall any action of any kind be had or maintained in any court in this State, for the recovery or possession of intoxicating liquors, or the value thereof. All the provisions of this Act relating to towns shall be applicable to cities and plantations; and those relating to selectmen shall also be applied to the mayor and aldermen of cities and assessors of plantations.

Sec. 24. Recovery of Recognizances of Non-appearance in Court before Judgment.—Whenever a defendant has given a recognizance for his appearance at court, under this Act, he shall be called on his recognizance on the first or second day after the jury is impannelled at said court, for the trial of criminal matters, and if he do not appear before the adjournment of the court, on the second day, a default of the recognizance shall be entered, which shall not be taken off unless he come into court before the jury is dismissed, and move to have it taken off, which may be done on such terms as to the court shall seem proper. If not so taken off, judgment shall be entered against the principal and sureties, and an execution or warrant of distress in the due form of law shall be issued thereon, without scire facias, and for the full sum or amount of the recognizance. Whenever a verdict is rendered against any defendant tried under any of the provisions of this Act, and he shall offer a bill of exceptions, if the Judge before whom the trial is had shall be of opinion that they are frivolous and intended for delay, he shall so certify, and shall proceed to pass sentence upon said defendant.

Sec. 25. Recovery of Recognizance for Non-appearance after Judgment.—Whenever judgment has been rendered at any court against any such defendant, and he is liable to be sentenced, if he be bound by recognizance to appear at such court, he may be called upon his recognizance, and if he do not appear, default shall be entered against him and his sureties, and judgment shall be duly entered thereon, and execution or warrant of distress shall be issued in due form, without scire facias or any other intermediate proceedings; a warrant shall also be issued, upon which the defendant may be arrested and brought in for sentence.

Sec. 26. Regulation for Sureties.—No person shall become surety in any recognizance required by this Act until he has made oath that he is worth above and beyond all debts and liabilities, including all former recognizances upon which he still remains liable, a sum equal to twice the sum named in the recognizance, and he shall, if required by the court, furnish a schedule of unincumbered property, sufficient in the opinion of the court to answer for the amount for which he is so to become surety, which, with the oath by him subscribed, shall be appended to the recognizance. Such recognizance shall be a lien upon all the real estate of the cognizers in the State, in preference to all other claims or sales of a subsequent date. The magistrate or the clerk of the court, who takes such recognizance, shall forthwith personally deliver or send by mail to the Register of Deeds in

each county in which real estate of such cognizers is situated, a certificate in substance as follows:

State of Maine: County of , ss. On this day of A. D.

A. B., as principal, and C. D., and E. F., as sureties, have this day entered into recognizance to the State of Maine, in the sum of , in the case, State of Maine, *vs.* A. B.

(Signed.) G. H., Justice of the Peace or Clerk.

And the register shall record the same in a book to be kept for that purpose. The fees of the clerk or justice shall be ten cents and the amount paid by him for postage; and of the register for recording, ten cents, to be paid out of the county treasury, and taxed in the costs to the parties.

Sec. 27. Perjury, Neglect of Duty, Disposition of Fines, etc.—False swearing in any oath or affidavit required to be taken by this Act shall be deemed to be perjury, and punished accordingly. Every public officer, municipal, civil, or executive, who shall willfully refuse or neglect to do any duty required of him by any of the provisions of this Act, shall forfeit and pay for each such refusal or neglect not less than twenty nor more than one hundred dollars, to be recovered in an action of debt, by any person who shall sue for the same, one half to the State, the other to the plaintiff in the suit. No proceedings of judgment had or rendered under any of the provisions of this Act shall be set aside or be void by reason of any technical error or defect not affecting the merits, but the same may be amended on motion, any time, when, by such amendment, substantial justice will be promoted. All fines, penalties, and costs, and all sums paid on recognizances as is in this Act provided, shall be paid into the county treasuries of the respective counties, for the use of the State.

Sec. 28. Penalty for being a Common Seller.—The penalty for being a common seller of intoxicating liquors, shall be a fine of two hundred dollars and costs, and six months' imprisonment for the first conviction; for the second and every subsequent conviction, a fine of four hundred dollars and costs, and nine months' imprisonment. Four distinct sales shall be sufficient to constitute the offense of being a common seller. Evidence which shows that the defendant indicted as a common seller, is a dealer in intoxicating liquors as a business or means of livelihood, may be introduced, and he may be convicted on such evidence, without proving four distinct sales. Evidence of the condition and appearance of the place of the defendant or of the premises searched, of the liquors found, or of the utensils and conveniences for drinking on the premises, of the conduct of the accused at the time of the search, also evidence that the accused has suffered reveling, riotous or disorderly conduct or drunkenness, by any person in and about his house, or shop, or premises, and any other evidence tending to show the character of the house, shop, or place searched, may be presented to the jury upon the trial of any indictment under this Act, as evidence that the defendant is a common seller.

Sec. 29. Prosecution of Appeals.—In all cases of appeal under this Act, from the judgment of such Judge or Justice, they shall be conducted in the appellate court by the prosecuting officer of the government, and said prosecuting officer shall be entitled to receive all costs taxable to the State, in every case where a conviction shall be had under the provisions of this Act; but no costs in such cases shall be remitted or reduced by the prosecuting officer or the court. In any suit, complaint, or indictment, or other proceedings against any person for a violation of any of the provisions of this

Act, other than for the first offense, it shall not be requisite to set forth particularly the record of a former conviction, but it shall be sufficient to allege, briefly, that such person has been convicted of a violation of any particular provision of this Act, or as a common seller, as the case may be, and such allegation in any criminal process legally amendable in any stage of the proceedings, before final judgment, may be amended, without terms, and as a matter of right. Any process, civil or criminal, legally amendable under this Act, may, in any stage of the proceedings, be amended in any matter of form, without costs, on motion at any time before final judgment.

SEC. 30. CHEMISTS, ARTISTS, AND MANUFACTURERS.—Nothing in this Act contained shall be construed to prevent any chemist, artist, or manufacturer in whose art or trade they may be necessary, from keeping at his place of business such reasonable and proper quantity of such liquors as he may have occasion to use in his art or trade, but not for sale; nor to prohibit the manufacture of cider and sale thereof by the manufacturer; or the manufacture of wine from currants or grapes for the use of the manufacturer, or to be sold for City or Town agents, by them to be sold for medicinal or sacramental purposes.

SEC. 31. PURCHASES OF LIQUOR FOR AGENCY TO BE MADE BY THE CIVIL AUTHORITIES.—IMPRISONMENTS, FEES.—All purchases of liquors to be sold by such agents shall be made by the Mayor and Aldermen of Cities, Selectmen of Towns, and Assessors of Plantations. The County Commissioners shall examine and correct all bills of costs under this Act in the manner provided in the 12th section of chapter 152 of the Revised Satutes, and order the same to be paid. This provision shall apply to bills of cost arising under the Acts that are by this Act repealed, and which have not been ordered to be paid, as well as to those arising under this Act. The imprisonment under this Act shall be in the county jail or house of correction, except where it is otherwise provided. The fees to be charged for the libel, fifty cents; for entering of same, thirty cents; for monition, fifty cents; for posting notices and return, one dollar; order to destroy or restore, twenty-five cents; to the officer for executing the order and making return, fifty cents; to the witnesses, twenty-five cents each. Wherever in this Act fine and imprisonment are the punishment provided for the offense charged, it shall be the duty of the Justice or Court to sentence the convict or convicts to both fine and imprisonment, and the provisions of the 4th section of chapter 168 of the Revised Statutes shall not be applicable to the fines and imprisonments provided for offenses under this Act.

SEC. 32. FORMS OF LAW.—The forms set forth in this section, with such changes as will adapt them for use in Cities and Plantations, shall be deemed sufficient in law for all the cases arising under this Act to which they purport to be adapted. The Magistrate may, if he chooses, make the warrant by him issued returnable before himself, in which case the provisions of section 8 of chapter 171 of the Revised Statutes shall be observed. The warrant to be issued in cases arising under section 11th of this Act shall be substantially in the form prescribed in this Act for such warrant; but it shall in all cases contain a direction that the search under this section shall be made in the daytime.

Form of Indictment in Case of Common Seller or Manufacturer.

State of Maine. , ss. At the Supreme Judicial Court, begun and holden at , within and for the County of , on the Tuesday of , in the year of our Lord One Thousand Eight Hundred and Fifty

The Jurors for said State, upon their oath present, that A. B., of , in said County, yeoman, at , in said County of , on the day of , in the year of our Lord One Thousand Eight Hundred and , and on divers other days and times between said day of aforesaid, and the day of the finding of this indictment, without any lawful authority, license, or permission, was a common seller of intoxicating liquors, against the peace of said State, and contrary to the form of the Statute in such case made and provided. (In case of a former conviction add) and the Jurors aforesaid, upon their oath aforesaid, do further present, that the said has been before convicted as a common seller under the Act in said County of

A true bill:

, County Attorney.

, Foreman.

Form of Complaint and Warrant in Case of Seizure.

State of Maine. , ss. To A. B., Esquire, one of the Justices of of the Peace within and for the County of .

A. B., C. D., and E. F., of , residents in said County, and competent to be witnesses in civil suits, on the day of , in the year Eighteen Hundred and Fifty , in behalf of said State, on oath complain, that they have reason to believe, that on the day of , in said year, at said , intoxicating liquors were, and still are, kept and deposited by , of , in said County, in [Here describe with precision the place to be searched] said , not being authorized by law to sell said liquors within said ; and that said liquors are intended for sale within said State in violation of law, whereby said liquors and the vessels in which the same are contained have become forfeited to be destroyed; and said , by reason of the premises, has incurred and become liable to pay a fine of twenty dollars to said State, and costs of prosecution, and to be imprisoned , and also to be imprisoned thirty days additional in default of payment of said fine and costs.

They therefore pray that due process be issued to search said , and any yard or building, other than a dwelling-house, adjoining the premises herein before mentioned, if occupied by the same person herein described, where said liquors are believed to be deposited; and if there found, that the said liquors and vessels be seized and safely kept until final action and decision be had thereon, and that said be forthwith apprehended and held to answer to said complaint, and to do and receive such sentence as may be awarded against him, and that said liquors and vessels be declared forfeited and ordered to be destroyed.

A. B.
C. D.
E. F.

, ss. On the day of aforesaid, the said A. B., C. D., and E. F., made oath that the above complaint by them signed is true.

Before me, , Justice of the Peace.

State of Maine. , ss. To the Sheriff of our said County of or either of his deputies, or the Constables of the Town of , or either of the towns within said county.

Whereas, A. B., C. D., and E. F., of , resident in said County, and competent to be witnesses in civil suits, on the day of , in the year Eighteen Hundred and Fifty , in behalf of said State, on oath complained to the subscriber, one of the Justices of the Peace within and for the said County, that they have reason to believe, and did believe, that on the day of in said year, at said , intoxicating liquors were and still are deposited and kept by , of , in said County, in [Here follows a precise description of the place to be searched], said not being authorized by law to sell said liquors within said , and that said liquors are intended for sale within said State in violation of law; whereby said liquors, with the vessels in which the same are contained, become forfeited to be destroyed, and said , by reason of the premises, incurred and became liable to pay a fine of twenty dollars to said State and costs, and of prosecution, and to be imprisoned days, and also to be imprisoned thirty days in default of the payment of said fine and costs, and prayed that due process be issued to search said and any yard or building, or other than a dwelling-house, adjoining the premises herein before mentioned, if occupied by the same person herein described, where said liquors are believed to be deposited, and if there found, that the said liquors and vessels be seized and safely kept until final action and decision be had thereon, and that said be apprehended and held to answer to said complaint, and to do and receive such sentence as may be awarded against him, and that said liquors and vessels be declared forfeited and ordered to be destroyed.

You are therefore required, in the name of the State, to enter the before named, and therein search for said liquors, and if there found to seize and safely keep the same with the vessels in which they are contained, until final action and decision be had on said complaint; and to apprehend the said forthwith, if he may be found in your precinct, and bring him before me, the subscriber, or some other Justice within and for said county, to answer to said complaint; and to do and receive such sentence as may be awarded against him.

Witness, , Esquire, at aforesaid, this day of , in the year eighteen hundred and fifty .

, Justice of the Peace.

Form of Complaint for Single Sale.

State of Maine, ss.

To , Esquire, one of the Justices of the Peace within and for the county of .

A. B., of , in said county, yeoman, on the day of , in the year of our Lord one thousand eight hundred and fifty , in behalf of said State, on oath, complains that , of , in said county, laborer, on the day of aforesaid, at said , not being appointed by the Selectmen of said town as the agent of said town to sell therein intoxicating liquors, did sell a quantity of intoxicating liquors therein, to wit: one of intoxicating liquor to one (or if the individual be unknown, to some person to said complainant unknown), against the peace of said State, and contrary to the form of the statute in such cases made and provided. A. B.

On the day of aforesaid, the said makes oath that the above complaint, by subscribed, is true.

Before me, , Justice of the Peace.

Form of Warrant upon the Same.

State of Maine, , ss.

To the Sheriff of our said county of , or either of his Deputies, or either of the Constables of the town of , or either of the towns within said county—Greeting.

Whereas A. B., of , on the day of , A.D., 185 , in behalf of said State, on oath complained to me, the subscriber, one of the Justices of the Peace within and for the county of , that , of , in said county, on the day of , at said , not being appointed by the Selectmen of said town as the agent of said town to sell therein intoxicating liquors, did sell a quantity of intoxicating liquors, to wit: one of intoxicating liquor to one , against the peace of said State, and contrary to the form of the statute in such case made and provided.

Therefore, in the name of the State of Maine, you are commanded forthwith to apprehend the said , if he may be found in your precinct, and bring before me, the subscriber, or some other Justice of the Peace within and for said county, to answer to said State upon the complaint aforesaid.

Witness my hand and seal at aforesaid, this day of A. D., 185 . , Justice of the Peace.

Form of a Recognizance in case of a Single Sale

Be it remembered, that at a Justice Court held by me, the subscriber, one of the Justices of Peace within and for the county of , at my office in , in said county, on the day of , in the year of our Lord one thousand eight hundred and fifty , personally appeared and , and severally acknowledged themselves to be indebted to the State of Maine in the respective sums following, to wit:

The said as principal, in the sum of dollars, and the said and as sureties, in the sum of dollars each, to be levied of their respective goods, chattels, lands or tenements, and in want thereof, of their bodies to the use of the State, if default be made in the condition following.

This condition of this recognizance is such, that whereas the said has been brought before said court, by virtue of a warrant duly issued upon the complaint on oath of , charging him, the said , with having sold at , said , one of intoxicating liquors to one , the said not being appointed by the Selectmen of said town as the agent of said town to sell intoxicating liquors therein, against the peace of said State, and contrary to the form of the statute in such case made and provided. And said having pleaded not guilty to said complaint, but having been by said court found guilty of the same, and been sentenced to ; and the said having appealed from said sentence to the next Supreme Judicial Court next to be holden at , within and for said county of , on the Tuesday of :

Now therefore, if the said shall appear at the court aforesaid and prosecute his said appeal with effect, and abide the order and judgment of said court, and not depart without license, then this recognizance shall be void; otherwise remain in full force and virtue.

Witness, , Justice of the Peace.

Form of Recognizance in Case of Seizure.

Be it remembered, that at a Justice Court held by me, the subscriber, one of the Justices of the Peace within and for the county of , at my house in said , on the day of , in the year of our Lord one thousand eight hundred and fifty , personally appeared A. B., C. D., and E. F., and severally acknowledged themselves to be indebted to the State of Maine in the respective sums following, to wit:

The said as principal, in the sum of dollars, and the said and as sureties in the sum of dollars each, to be levied of their respective goods, chattels, lands or tenements, and in want thereof, of their bodies to the use of the State, if default be made in the condition following.

The condition of this recognizance is such, that whereas the said has been brought before said court by virtue of a warrant duly issued upon the complaint, on oath, of G. H., I. J., and K. L., of said , all competent witnesses in civil suits, and resident within said county, charging him, the said , with having at , on the day of , kept and deposited certain intoxicating liquors in [here describe the place where the same are deposited], with the intent to sell the same in said , in violation of law; said not being authorized or appointed to sell the same in said , and a search warrant having been duly issued upon said complaint, and said liquors above described having been seized thereon, and the said duly arrested thereon, and said having pleaded not guilty to said complaint, but having been by said Court found guilty of the same, and been sentenced to And the said having appealed from said sentence to the next Supreme Judicial Court, next to be holden at , within and for said County of , on the Tuesday of . Now, therefore, if the said shall appear at the Court aforesaid, and prosecute his said appeal with effect, and abide the order and judgment of said Court, and not depart without license, then his recognizance shall be void; otherwise, remain in full force and virtue.

Witness, , Justice of the Peace.

Form of Mittimus.

State of Maine. County of ss.

To the Sheriff of the County of , or his deputies, or the Constables of the Town (or City) of , and to the keeper of the jail in in our said County—Greeting.

Whereas, E. F., of , in our County of , now stands convicted before me, A. B., one of the Justices of the Peace in and for the County of , on the complaint of , who, on his (or their) oath, complains that [Here insert the substance of the complaint.] against the peace of the State and contrary to the form of the statute in such case made and provided, for which offense, he, the said E. F., is sentenced to pay a fine for the use of the State of twenty dollars and costs of prosecution, taxed at , (and to stand committed until the sentence be performed, all which sentence the said E. F., now before me, the said Justice, fails and refuses to comply with and perform).

These are, therefore, in the name of the State of Maine, to command you, the said Sheriff, Deputies, and Constables, and each of you, forthwith to convey the said E. F. to the common jail in , in the County afore-

said, and to deliver him to the keeper thereof, together with this precept: And you the keeper of the said jail in aforesaid, are hereby in like manner commanded, in the name of the State of Maine, to receive the said E. F. into your custody, in said jail, and him there safely to keep until he shall comply with said sentence, or be otherwise discharged by due course of law.

Given under my hand and seal this day of , A.D.

A. B., Justice of the Peace.

When the sentence shall be, in addition to the fine, thirty, sixty, or ninety days' imprisonment, the substance of the complaint being duly set forth, insert in the mittimus instead of the words included in the foregoing form, in brackets, as follows: (and days of imprisonment in the common jail, all which sentence, the said E. F. now being before me, remains to be performed). If the fine and costs are paid, insert (which sentence to days' imprisonment, the said E. F. now being before me, remains to be complied with and performed,) and in like manner in all cases, the substance of the complaint being set forth, and the recital of the sentence conformed to the fact, the same form in substance may be used, and shall be sufficient in law.

Sec. 33. Former Acts Repealed.—The Act entitled An Act for the Suppression of Drinking Houses and Tippling Shops, approved June 2, 1851, and an Act entitled An Act in addition to Chapter 211 of the Statutes of 1851, approved March 31, 1853, and all Acts and parts of Acts inconsistent with this Act, are hereby repealed, saving all actions, indictments, and other processes pending, and that said Acts shall be continued in force for the punishment of all offenses committed under said Acts up to the time when this Act shall take effect.

Sec. 34. When to take Effect.—This Act shall take effect on the first day of May, 1855.

Approved March 16, 1855.

THE

PROHIBITORY LIQUOR LAWS

OF

MASSACHUSETTS.

AN ACT CONCERNING THE MANUFACTURE AND SALE OF SPIRITUOUS AND INTOXICATING LIQUORS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

SEC. 1. THE MANUFACTURE AND SALE OF LIQUORS CRIMINAL.—It shall be unlawful and criminal for any person to manufacture for sale, or sell by himself, his clerk, servant, or agent, directly or indirectly, any spirituous or intoxicating liquor, or any mixed liquor, a part of which is spirituous or intoxicating, unless he is duly authorized so to do, as is hereinafter provided. Ale, porter, strong beer, lager beer, cider, and all wines, shall be considered intoxicating liquors, within the meaning of this Act, as well as all distilled spirits; but this enumeration shall not prevent any other pure or mixed liquors from being regarded as intoxicating.

SEC. 2. RIGHTS OF IMPORTERS AND DRUGGISTS.—Nothing in this Act shall be construed to forbid the sale, by the importer thereof, of foreign spirituous or intoxicating liquors imported under the authority of the laws of the United States regarding the importation of such liquor, and in accordance with said laws, provided that the said liquor, at the time of said sale by said importer, remains in the original casks or packages in which it was by him imported, and in quantities not less than the quantities in which the laws of the United States require such liquor to be imported, and is sold by him in said casks or packages, and in said quantities only, and as pure and unadulterated as when imported. And druggists may sell pure alcohol to other druggists, apothecaries, and physicians, known to be such, for medicinal purposes only; *provided, however*, that every druggist so selling shall keep a book, in which he shall enter the date of every sale of alcohol made by him, the name of the purchaser, his residence, and the quantity sold, and if exported, the place to which exported and the name of the consignee; which book shall at all times be open to the inspection of the mayor and aldermen of the city, or the selectmen of the town, in which he has his place of business. And if any druggist, or the clerk or agent of such druggist, shall be convicted of an illegal sale, he shall pay a fine of one thousand dollars, one half of which shall go to the complainant and the other half to the Commonwealth.

SEC. 3. RELATING TO OWNING AND KEEPING LIQUORS WITH INTENT TO SELL.—It shall be unlawful and criminal for any person to own, possess,

or keep any spirituous or intoxicating liquor, with intent to sell the same in this Commonwealth; and no owner of any such liquor shall permit or suffer any other person to keep the same for the purpose of selling the same in this Commonwealth.

SEC. 4. RIGHTS OF CHEMISTS AND ARTISTS.—Nothing in this Act shall be construed to forbid the owning, possessing, or keeping of liquors of foreign production, imported by the owner or keeper thereof under the laws of the United States, and in accordance therewith, contained in the original packages in which it was by said owner or keeper imported, and in quantities not less than the laws of the United States prescribe, or the owning, possessing, or keeping of liquors for sale under the authority of this Act; and nothing contained in this Act shall be construed to prevent any chemist, artist, or manufacturer, in whose art or trade they may be necessary, from keeping at his place of business such spirituous liquors as he may have occasion to use in his art or trade, but not for sale; and nothing in this Act shall be construed to prevent the manufacture or sale of cider for other purposes than that of a beverage, or of unadulterated wine for sacramental purposes.

SEC. 5. AGENCIES.—The selectmen of any town, and the mayor and aldermen of any city, on the first Monday of May annually, or as soon thereafter as may be convenient, may appoint some suitable person or persons as agent or agents of such city or town, to purchase spirituous or intoxicating liquors, and to sell the same at some central or convenient place or places within said city or town, to be used in the arts, or for medicinal, chemical, and mechanical purposes, and no other; and every such agent shall receive such fixed and definite salary, not dependent in amount upon the sales, for his services, as the board appointing him shall prescribe, and shall, in the sale of such liquors, conform to such rules and regulations as the selectmen, or mayor and aldermen aforesaid, shall prescribe for that purpose; and every such agent shall hold his situation for one year from the time of his appointment, unless sooner removed by the board which appointed him, as he may be, at any time, at the pleasure of said board; *provided* that the selectmen of every town containing not less than one thousand inhabitants, and the mayor and aldermen of every city shall appoint at least one such agent every year, under the penalty of forfeiting the sum of one hundred dollars for neglecting to make such appointment for the space of three months after they have entered upon their respective offices, to be recovered in an action of tort brought in the court of common pleas by any person who may sue for the same, one half for his own benefit, the other half for the benefit of the Commonwealth.

SEC. 6. REGULATIONS FOR AGENTS.—Every agent appointed according to the preceding section shall keep a book, in which he shall enter the date of every sale of spirituous liquor made by him, the person to whom sold, the kind, quantity, and price of the liquor sold, and the purpose for which it was sold, substantially in the following form, to wit:

Date.	Name.	Residence.	Kind and quantity.	Purpose of use.	Price.

Which book shall at all times be open to the inspection of the selectmen of the town, or the mayor and aldermen of the city, for which such agent may be appointed, and also to overseers of the poor, sheriffs, constables, and justices of the peace, in the towns and cities in which they respectively reside. Every such agent shall also keep an account of all purchases of spirituous or intoxicating liquors made by him, in which he shall specify the kinds and quantity purchased, the prices paid, and the persons of whom they were purchased, together with the dates of the purchases; and he shall also keep a regular account of all the forfeited spirituous or intoxicating liquors delivered to him for sale by order of any justice or court.

Sec. 7. Imposing upon Agents.—If any person purchasing any spirituous or intoxicating liquor of any such agent shall intentionally make to such agent any false statement regarding the use to which such liquor is intended to be applied by the purchaser, such person so offending shall, upon conviction thereof before any justice of the peace or police court, forfeit and pay a fine of not less than five nor more than twenty dollars and the costs of prosecution, and shall stand committed till the same be paid.

Sec. 8. Certificates for Agents.—Every agent appointed as aforesaid shall receive a certificate from the mayor and alderman or selectmen by whom he may be appointed, authorizing him, as agent of such city or town, to purchase intoxicating liquors to be used in the arts, or for medicinal, chemical, and mechanical purposes only, and only to sell the same for such purposes and no other, at such place within their respective town or city as by them shall be deemed suitable, which place shall be designated with precision in said certificate; but such certificate shall not be delivered to the person so appointed until he shall have executed and delivered to said board a bond, with two good and sufficient sureties, in the sum of six hundred dollars, in substance as follows:

Know all men, that we, , as principal, and and as sureties, are holden and stand firmly bound to the inhabitants of the town of (or city, as the case may be) in the sum of six hundred dollars, to be paid unto them, their successors, or assigns, to which payment we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this day of , A.D. . The condition of this obligation is such, that, whereas the above bounden has been duly appointed an agent for the town (or city) of to purchase intoxicating liquors, and to sell the same within, for, and on account of said town (or city), to be used in the arts, or for medicinal, chemical, and mechanical purposes, and no other, until the day of , A.D. , unless sooner removed from said agency. Now, if the said shall in all respects conform to the provisions of law relating to the business for which he is appointed, and to such rules and regulations as now are, or shall, from time to time be established by the board making the appointment, then this obligation to be void; otherwise, to remain in full force.

And the town and city clerks shall keep a record of the names and certificates in full of all persons appointed as aforesaid as agents in their respective towns and cities, which record shall be open to public inspection at all reasonable times; and the said town and city clerks shall, as soon as practicable after the appointment of said agents, furnish a list of their names to the county commissioners of their respective counties.

Sec. 9. Manufacturers of Liquors.—The commissioners of the several counties, and the mayor and alderman of the city of Boston, on the

first Monday of May annually, or as soon thereafter as practicable, may authorize such persons as shall apply to them in writing to manufacture spirituous or intoxicating liquors at a suitable place or places within their respective counties and city, and to sell the same in quantities not less than thirty gallons, to be exported out of the Commonwealth, and to be used in the arts, or for mechanical and chemical purposes in this Commonwealth, or in any quantity to duly authorized agents of towns and cities; and such authority, given as aforesaid, shall continue for the term of one year from the date thereof, unless sooner revoked for cause, or annulled as hereinafter provided.

Sec. 10. Rules for Manufacturers.—Every manufacturer authorized according to the provisions of the foregoing section shall keep a book, in which he shall enter the date of every sale of spirituous liquors made by him, the name of the purchaser, his residence, and the quantity and kind of liquor sold, and, if exported, the place to which exported, and the name of the consignee, substantially in the following form, to wit:

Date.	Name of Purchaser.	Residence of Purchaser.	Quantity & kind of Liquor.	Where Exported.	Name of consignee.	Purpose of use.

Which book shall at all times be open to the inspection of the mayor and aldermen, or of the county commissioners by whom he was authorized to manufacture spirits.

Sec. 11. Certificates for Manufacturers.—Every person authorized as aforesaid shall receive a certificate from the county commissioners, or the mayor and aldermen by whom he is authorized, giving him authority to manufacture and sell spirituous and intoxicating liquors, as aforesaid, at such place within their respective counties or city as by them shall be deemed suitable, which place shall be designated with precision in such certificate; but such certificate shall not be delivered to such person until he shall have executed and delivered to said board a bond, with two good and sufficient sureties, in the sum of six thousand dollars, in substance as follows:

Know all men, that we, , as principal, and and as sureties, are holden and firmly bound to the inhabitants of the county of (or city of Boston, as the case may be), in the sum of six thousand dollars, to be paid unto them, their successors, or assigns, to which payment we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this day of , A.D. . The condition of this obligation is such, that, whereas the above bounden has been duly authorized to manufacture spirituous and intoxicating liquors at , in the town (or city) of , and county of , and to sell the same in quantities not less than thirty gallons, to be exported out of the Commonwealth, or to be used in the arts, or for mechanical and chemical purposes, or in any quantity to duly authorized agents of towns and cities, as by law provided, until the day of , A.D. , unless

such authority be sooner revoked or annulled. Now, if the said shall in all respects conform to the provisions of law relating to the business which he is authorized as above to pursue, and shall violate no law of the Commonwealth touching the manufacture and sale of spirituous or intoxicating liquors during the term for which he is authorized to manufacture such liquors as above mentioned, then this obligation to be void; otherwise, to remain in full force.

And if any person so authorized and bound shall commit any breach of the conditions of his bond, his certificate shall thereupon be null and void, and he shall not thereafter be authorized or permitted to manufacture or sell spirituous or intoxicating liquors.

Sec. 12. Record of Names of Manufacturers.—The clerks of the commissioners of the several counties, and the city clerk of Boston, shall keep a record of the names, residences, and certificates in full of all persons authorized by said commissioners, and the mayor and aldermen of Boston, respectively, to manufacture and sell, as hereinbefore provided in section fifth, and also the names and residences of all agents of towns and cities, furnished them by town and city clerks, as provided in section eighth, which record shall be open to public inspection at all reasonable times; and they shall furnish a list of said names, with their residences, to all persons authorized by boards respectively to manufacture and sell spirituous or intoxicating liquors, and to all agents of towns and cities, whose names have been furnished them as aforesaid within their respective counties.

Sec. 13. May Arrest without a Warrant.—Any mayor, alderman, selectman, sheriff, deputy sheriff, chief of police, or deputy chief of police, city marshal, deputy or assistant marshal, police officer, constable or watchman, in his city or town, may, without a warrant, arrest any person or persons whom they may find in the act of illegally selling, transporting, or distributing intoxicating liquors, and seize the liquors, vessels, and implements of sale in the possession of said person or persons, and detain them in some place for safe keeping until warrants can be procured on complaint made for the trial of said person or persons, and for the seizure of said liquor, vessels, and implements under the provisions of this Act; and it shall be the duty of the several officers aforesaid to enforce the penalties provided in this Act, or cause them to be enforced, against every person who shall be guilty of any violation thereof of which they can obtain reasonable proof. And if any sheriff, deputy sheriff, chief of police, or deputy chief of police, constable, or police officer shall be furnished with a written notice of any violation of this Act, and the names of witnesses thereof, and shall for two weeks neglect to commence an action thereon, or prosecute any complaint thereafter, shall be entitled to all fines imposed and collected for said violation of this Act.

Sec. 14. Breach of Conditions of Bonds given by Agents, etc.—Whenever complaint shall be made to the county commissioners of any county, or to the mayor and aldermen of any city, or to the selectmen of any town, that a breach of the conditions of the bond, given by any person authorized by them to purchase and sell, or to manufacture and sell, intoxicating liquors, has been committed, they shall notify the person complained of; and if, upon a hearing of the parties, it shall appear that any breach of such bond has been committed, they shall revoke and make void his authority, and shall, at the expense and for the use of their county, city, or town, cause the bond to be put in suit in any court proper to try the same, or they may put such bond in suit without said complaint, notice, or hearing.

SEC. 15. PENALTIES FOR SINGLE SALES.—If any person, by himself, his clerk, servant, or agent, shall, directly or indirectly, or on any pretense or by any device, sell, or in consideration of the purchase of any other property, give to any other person, any spirituous or intoxicating liquor, or any mixed liquor, part of which is spirituous or intoxicating, in violation of the provisions of this Act, he shall, on being convicted of one such violation of the provisions of this Act, pay ten dollars and the costs of the prosecution, and be imprisoned in the house of correction not less than twenty nor more than thirty days; on being convicted of a second such violation therof, either at the same or another term of the court, or on the same complaint or indictment which charges the first such violation of this Act, or on another, he shall pay twenty dollars and the costs of prosecution, and shall be imprisoned in the house of correction not less than thirty nor more than sixty days; on being convicted of a third, and any subsequent such violation of this Act, either at the same or different term of the court, or on the same complaint or indictment which charges the first and second, or any violation or violations of this Act, or on another complaint or indictment, he shall pay fifty dollars and the costs of prosecution, and shall be imprisoned in the house of correction not less than three nor more than six months; and if any clerk, servant, or agent, or any other person in the employment or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction shall suffer the same punishment. And when any act in violation of the provisions of this section has been committed by any clerk, servant, or agent, or other person as aforesaid, the names of all the parties charged with the offense may be included in the same complaint, warrant, or indictment, and all the parties may be tried at the same time, and judgment shall be rendered accordingly, and each person so convicted shall be subject to the fines and imprisonment provided for the offense. And one or more violations of the provisions of this section may be alleged in the same complaint or indictment, and be tried at the same time; and when any person is convicted of more than one offense on any such complaint or indictment, he shall be subject to the same punishments as if he had been successively convicted on as many complaints or indictments as there are offenses of which he is convicted: *provided*, that the whole aggregate term of imprisonment under any one complaint or indictment, or at any one term of the court, for violations of the provisions of this section, shall never exceed one year. *Provided, always*, that the fines imposed by this section shall always be in addition to the imprisonment, and that, if the fine and costs in any case be not paid, the imprisonment shall be extended thirty days. Ten dollars, attorney's fee, to be paid to the attorney who appears for the government, shall be taxed and allowed as part of the costs in each case when a fine is imposed under this Act.

SEC. 16. JUSTICES OF THE PEACE MAY TRY CASES.—Every offense declared in the preceding section may be tried and punished by any justice of the peace or police court having jurisdiction to try criminal offenses in the place where the same was committed, as well as by the court of common pleas or municipal court.

SEC. 17. PENALTIES FOR MANUFACTURING OR COMMON SELLING.—If any person shall be a manufacturer of any spirituous or intoxicating liquor for sale, or a common seller thereof, without being duly appointed or authorized as aforesaid, and in violation of the provisions of this Act, he shall, on being convicted of one such violation of the provisions of this Act, pay fifty dollars and the costs of prosecution, and be imprisoned in the house of correction not less than three nor more than six months, and shall stand com-

mitted until the said fine and costs are paid; and, on being convicted of a second such violation thereof, either at the same or a different term of the court, or on the same indictment which charges the first such violation of this Act, or on another, shall pay the sum of two hundred dollars and the costs of prosecution, and be imprisoned six months in the house of correction; and on being convicted of a third and any subsequent such violation of this Act, either at the same or a different term of the court, or on the same indictment which charges the first and second or any violations or violation of this Act, or on another indictment, he shall pay the sum of two hundred dollars and the costs of prosecution, and shall be imprisoned twelve months in the house of correction in the county where the offense was committed; the offenses declared by this section to be tried by indictment, and punished by the court of common pleas or municipal court, in the respective counties where the offenses are committed. And three several sales of spirituous or intoxicating liquors, either to different persons or to the same person, shall be sufficient evidence of a violation of this section, but this shall not prevent proof of the same by other evidence. And if any clerk, servant, or agent, or any other person in the employment or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and, on conviction, shall suffer the same punishment; and when any act in violation of the provisions of this section has been committed by any clerk, servant, or agent, or other person, as aforesaid, the names of all the parties accused may be included in the same complaint or indictment, and all the parties may be tried at the same time, and judgment be rendered accordingly; and each person so convicted shall incur the fines and imprisonment provided for the offense; and two or more acts of violation of the provisions of this section may be alleged in the same complaint or indictment, and be tried at the same time; and every person convicted on any such indictment shall be subject to the same punishments as if he had been successively convicted on as many indictments as there are counts on which he has been convicted: *provided*, that the whole aggregate term of imprisonment to which any person may be sentenced under any one indictment, or at any one term of the court, for violations of this section, shall never exceed one year.

Sec. 18. Expressmen and Common Carriers.—If any expressman, common carrier, or other person, shall, for the purpose of conveying to any other person, receive any spirituous or intoxicating liquor which has been sold or is intended for sale in violation of this Act, he having reasonable cause to believe that the same has been so sold or is so intended to be sold, such expressman, common carrier, or other person, shall, on conviction thereof, pay twenty dollars and the costs of prosecution, and shall stand committed until the same be paid; the same to be recovered on complaint before any justice of the peace, or police court having criminal jurisdiction, either in the place where said liquor may be received, or in any place through which it may be carried, or in the place at which it may be delivered to the purchaser or any person for him.

Sec. 19. Transportation by Railroads.—If any person having authority from any railroad corporation to receive goods to be transported by such corporation shall receive any spirituous or intoxicating liquor which has been sold, or is intended for sale, in violation of this Act, for the purpose of having the same transported on such railroad, he, at the time of receiving the same, having reasonable cause to believe that the same has been so sold, or is so intended for sale, he shall be liable to be tried and punished as a common carrier as before provided; and the said railroad corporation shall

also be liable to pay a fine of fifty dollars and the costs of prosecution, to be recovered by indictment in the court of common pleas or in the municipal court in any county in which such liquor may have been received or in which it may be carried.

SEC. 20. PENALTY FOR BRINGING LIQUOR INTO THE STATE.—Every person who shall bring into this State, or who shall convey from place to place within the same, any spirituous or intoxicating liquor with intent to sell the same himself or to have the same sold by another, or having reasonable cause to believe that the same is intended to be sold by any other person, in violation of this Act, shall be punished in the manner provided in the 15th section of this Act for any person selling spirituous or intoxicating liquor illegally, on conviction for the first and each succeeding offense, and shall have the same right of appeal.

SEC. 21. RIGHTS OF HUSBAND, WIFE, ETC. — If the husband, wife, parent, child, guardian, or employer of any person who has the habit of drinking spirituous or intoxicating liquor to excess, shall give notice in writing, signed by him or her, to any person not to deliver any spirituous or intoxicating liquor to the person who has such habit, if the person so notified shall deliver any spirituous or intoxicating liquor to the person who has such habit at any time within twelve months after such notice given, the person giving such notice may, in an action of tort brought by him or her, recover of the person so notified any sum not less than twenty-one nor more than five hundred dollars, as may be assessed by the jury as damages; and any married woman may bring such action in her own name, notwithstanding her coverture, and all damages recovered by her shall go to her separate use. In case of the death of any party to or against whom an action is given by this section, it shall survive to or against his or her executors or administrators.

SEC. 22. AN ACTION MAY BE BROUGHT AGAINST AN INTOXICATED PERSON, OR THE PERSON WHO FURNISHED HIM THE LIQUOR.—If any person in a state of intoxication shall commit any assault and battery, or injure any property, the person who furnished him the spirituous liquor or any part of it which occasioned his intoxication, if the same was furnished him in violation of this Act, shall be subject to the same action on behalf of the party injured which the party injured would have against the person intoxicated; and the party injured, or his legal representatives, may bring either a joint action against the person intoxicated and the person who furnished the liquor, or a separate action against either.

SEC. 23. AN INTOXICATED PERSON MAY DISCLOSE. — If any person shall be found in a state of intoxication in any highway, street, court-house, town-house, or other public-place, or shall be found in a state of intoxication in any place, committing any breach of the peace, or disturbing others by noise, any sheriff, deputy sheriff, constable, watchman, or police officer shall, without any warrant, take such person into custody, and detain him in some proper place until, in the opinion of such officer, he shall be so far recovered from his intoxication as to render it proper to carry him before a court of justice; such officer shall then take him before some justice of the peace or police court in the town or city where such person may have been found, and shall then make a complaint before such justice or court against such person for the crime of drunkenness under the 18th section of the 130th chapter of the Revised Statutes; and if such person so arrested shall then disclose fully the name of the person of whom, and the time, place, and manner in which the liquor producing his intoxication was procured, and all the circumstances attending it, such justice or court shall

administer to him the oath provided for witnesses, and shall interrogate him in the presence of the officer who made the arrest respecting the matters aforesaid; and if it shall thereupon appear to the said officer and magistrate that either of the offenses specified in the 15th or 17th sections of this Act has been committed, the officer who made the arrest shall, in due form, file his complaint, for the commission of either of said offenses, before the said justice or police court, against the person or persons who, upon such disclosure being made, shall appear to the officer to have been guilty thereof, and the person so taken intoxicated shall be named as one of the witnesses in the said complaint, and a subpœna shall issue against him as such. And the said officer shall thereupon discontinue his prosecution for drunkenness, and the person so arrested shall be discharged, and shall not be liable to be prosecuted again for the same offense.

Sec. 24. Keeping Liquors with Intent to Sell.—Any person who shall own, possess, or keep any spirituous or intoxicating liquor with intent to sell the same in this Commonwealth, contrary to the provisions of this Act, shall, on conviction thereof before any justice of the peace or any police court having jurisdiction to try criminal offenses in the place where such liquor is kept, be fined ten dollars and pay the costs of prosecution, and shall be imprisoned twenty days in the house of correction, and shall be imprisoned twenty days longer if said fine and costs are not paid. And a complaint may be made and prosecuted under this section whether any liquor has been seized as being owned or kept by the person complained against or not.

Sec. 25. Seizure of Liquors.—If any two persons, being of full age, and competent to testify, shall, before any justice of the peace, or judge of any police court having jurisdiction to try criminal causes, make complaint under oath or affirmation that they have reason to believe, and do believe, that any spirituous or intoxicating liquor described in the complaint is kept or deposited in any store, shop, warehouse, or in any steamboat or other vessel, or in any vehicle of any kind, or in any building or place in any city or town, by any person named in said complaint, and intended for sale in this Commonwealth by such person, such person not being authorized to sell the same, or manufacture or to keep the same for sale in this Commonwealth for any purpose under this Act, or any legal authority whatever, said justice or court, upon its appearing that there is probable cause to believe said complaint to be true, shall issue a warrant of search to any sheriff, or deputy sheriff, or city marshal, or chief of police, or deputy chief of police, or deputy marshal, or constable, commanding such officer to search the premises in which it is alleged such liquor is deposited, and to seize such liquor, with the vessels in which it is contained, and to keep the same securely until final action be had thereon, and to return the warrant, with his doings thereon, as soon as may be, to the justice or court that issued the warrant, or to some other justice or police court having jurisdiction in criminal cases in the place where such liquor is alleged to be kept or deposited; and if the place to be searched be a dwelling-house, used and occupied exclusively as such, and no tavern, store, or grocery, eating-room, or place of common resort, be kept therein, such warrant shall not be issued; but no warrant shall issue for the search of any dwelling-house unless one of said complainants shall make oath or affirmation that he has reason to believe, and does believe, that such liquor has been sold therein or taken therefrom for the purpose of being sold by the occupant thereof, or by his consent or permission, contrary to law, within the time of one month next before making such complaint, and is then kept therein for sale by the person complained against, contrary to law, and shall, in his oath or affirma-

tion, state the facts and circumstances on which such belief is founded, and such allegations shall be recited in the complaint and warrant. And in all cases the complaint shall particularly designate, so as to identify the building, structure, and place to be searched, the liquors to be seized, the person by whom they are owned, kept, or possessed and intended for sale, and it shall allege the intent of such person to sell the same in this Commonwealth contrary to the provisions of this Act; and the warrant to be issued on said complaint shall be supported by the oath or affirmation of the complainant; it shall allege that probable cause has been shown for the issuing thereof; and the place to be searched, the liquors to be seized, and the person believed to be the owner, possessor, or keeper of such liquors, and intending to sell the same contrary to the provisions of this Act, within this Commonwealth, shall be set out therein by special designation, and with the same particularity as in the complaint, and the offense, both in the complaint and warrant, shall be fully, plainly, and substantially described, and the complainants shall be summoned to appear as witnesses at the time and place which shall be assigned for the hearing and trial upon said complaint. And the officer to whom the warrant is committed shall thereupon proceed to search the premises described in the warrant, and seize the liquor described in the warrant, with the casks or other vessels in which it is contained, if they are found in or upon the said premises, and shall convey the same to some proper place of security, where he shall keep the liquor and vessels containing it until final action be had thereon.

Sec. 26. Notice to be Issued after Seizure.—Whenever any liquor shall have been seized upon any such warrant, the justice or court before which it is returned—if, in the opinion of said justice or court, the value of the liquor seized, with the vessels containing it, shall not exceed twenty dollars—shall, within forty-eight hours after such seizure, issue a written notice, to be signed by the justice or the clerk of said court, under the seal of the justice or court, commanding the person complained against as the keeper of the liquor seized, and all other persons claiming any interest therein, or in the casks or vessels containing the same, to appear before said justice or court, at a time and place to be therein named, to answer to said complaint and for trial, and to show cause, if any they have, why such liquor, with the vessels containing it, should not be forfeited. Said notice shall contain a description of the number and kind of vessels, and quantity and kind of liquor seized, as nearly as may be, and when and where they were so seized, and shall be served by any sheriff, deputy sheriff, constable, or police officer upon the person charged with being the keeper of the liquor seized, either by leaving an attested copy of the same with him personally, or at his usual place of abode if he be an inhabitant of the Commonwealth, and also be served by posting up another attested copy of the same on the building in which the liquor was seized, if it was found in any building, or else in some public place in the town or city where the liquors were seized, and also by publishing another attested copy of the same, at least twice, in some newspaper printed in the county where such seizure is made, if there be any such newspaper; and the posting up of said notice, and the serving the same on the party complained of as keeper, and the first publication in said newspaper shall be not less than fourteen days before the time appointed for the trial; and if, at the time appointed for the trial, the said notice has not been duly served, or for other sufficient cause, the trial may be postponed till some other day and place, and a new notice issued to be served anew, so as to supply any defect in the service of the previous notice; and time and opportunity for trial and defense shall be given to persons interested.

Sec. 27. Disposition of Liquors Seized.—At the time and place appointed by the notice, the person complained against, or any other person or persons claiming an interest in the said liquor and vessels seized, or any part thereof, may appear and make their claims respectively, either verbally or in writing, and the justice or court shall keep a record of his or their appearance and claims, and he or they shall be admitted as a party or parties on the trial, and issues may be joined; and whether any person shall enter any claim or not, the justice or court shall thereupon proceed to try, hear, and determine the allegations of such complaint, and whether said liquor and vessels, or any part thereof, be forfeited; and if, upon the evidence presented at the trial, it shall appear to the said justice or court that the said liquor or any part thereof was, when the complaint was made, owned or kept by the person alleged in the complaint for the purpose of being sold in violation of this Act, the said court or justice shall render judgment that such and so much of the liquor so seized as was so unlawfully kept, and the vessels in which it is contained, are forfeited to the Commonwealth; and any of such liquor so forfeited, which, in the opinion of said justice or court, is suitable for use for medicinal, chemical, or mechanical purposes, shall, by the authority of the written order of said justice or court to that effect, be delivered to any agent appointed for the sale of spirituous liquors of the city or town in which said liquors were seized, to be sold by him, and the net proceeds paid over to the treasurer of the Commonwealth. And if there be no such agent in the said town or city, such of the said liquors as are suitable for use as aforesaid shall be delivered to any such agent in the Commonwealth that the said justice or court may order, to be by such agent sold, and the proceeds paid over to the treasurer of the Commonwealth; and any officer to whom such order is directed shall make return thereof of his doings in the premises, and any of such liquors which, in the opinion of said justice or court, are not suitable for use as aforesaid, shall, by his like order, be destroyed in the presence of said justice or court, or in the presence of some person appointed by said justice or court to witness the destruction thereof, who shall join with the officer by whom they are destroyed in attesting the fact upon the back of the order by authority of which it was done. And if no person shall appear and be admitted as a party as aforesaid, or if judgment shall be rendered in favor of all the claimants who appear, then the cost of the proceedings shall be paid as in other criminal cases; but if only one party appearing shall fail to sustain his claim as aforesaid, he shall pay all the costs of the proceedings, except the expense of seizing and keeping the liquor, and an execution shall be issued against him therefor. And if judgment shall be rendered against more than one claimant as aforesaid and claiming distinct interests in said liquor, then the costs of said proceedings and trial shall be equitably, according to the discretion of the justice or court, apportioned among such parties, and executions shall be issued against them severally for the costs adjudged against them; and if any such execution shall not be forthwith paid, the defendant therein named shall be committed to the common jail, and shall not be discharged therefrom until he shall have paid such execution and the costs of commitment, or until he shall have been imprisoned thirty days.

Sec. 28. Liquors to be Returned for want of Proof.—If, upon the trial, it shall appear to the said justice or court, either in regard to all the liquor seized, or in regard to some part thereof, that it has not been proved that any of the same was kept or deposited for sale contrary to law, the said justice or court shall issue a written order to the officer having the

same in custody to return such and so much of the said liquor as has not been proved to be kept or deposited for sale contrary to law, with the vessels in which it is contained, to the place from whence it was taken, as nearly as may be, or to deliver the same to the person entitled to receive it; which order the said officer, after executing the commands thereof, shall return to the said justice or court with his doings indorsed thereon.

SEC. 29. RIGHT OF APPEAL IN SEIZURE CASES.—Any person claiming any spirituous liquors, whose claims shall not be allowed under the provisions of the 27th section of this Act, or any person complained against, shall have the same right of appeal, and to the same court, as if he had been convicted of a crime; but, before his appeal shall be allowed, he shall recognize to the Commonwealth in the sum of two hundred dollars, with a good and sufficient surety or sureties, to prosecute his appeal at the court appealed to, and to abide the sentence of the court thereon; and in case of such appeal, any question of fact shall be tried by a jury; and on the judgment of the court after verdict, whether of forfeiture or otherwise of the whole or any part of the liquor and vessels seized, the same proceedings shall be had thereupon as are directed in the 27th and 28th sections of the same.

SEC. 30. TRIAL BY JURY IN SEIZURE CASES.—If, in the opinion of the justice or court before which any warrant is returnable, under which any liquor has been seized, the value of the liquor so seized, together with the vessels containing it, exceeds twenty dollars, he shall issue a notice in the same manner and form as directed in the 26th section of this Act, except that, instead of making the same returnable before said justice or court, he shall make the same returnable to the term of the court of common pleas, in the same county, having jurisdiction of criminal cases, or of the municipal court to be held in any such county next after the expiration of fourteen days from the time of issuing said notice, which notice shall be served in the manner directed in said 26th section; and the court of common pleas before which such notice is made returnable shall have jurisdiction of the case, and may issue new notices in the manner directed in said section if necessary, and shall proceed to try the case in the manner directed in said 26th section as nearly as may be, and with a jury, upon any issue or issues of fact presented by the claimant or claimants, or which may be directed by the court; and said court, after the trial, shall proceed in the manner directed in the 27th and 28th sections of this Act as nearly as may be.

SEC. 31. LIQUOR ON MUSTER FIELDS MAY BE SEIZED.—It shall be the duty of any mayor, alderman, selectman, city marshal, or deputy marshal, sheriff, deputy sheriff, police officer, or constable, if he shall have information that any intoxicating liquors are kept or sold in any tent, shanty, hut, booth, stall, or similar place for selling refreshments in any public place on or near the grounds of any cattle show, agricultural exhibition, military muster, or any public occasion of any kind, to seize such liquor and the vessels in which it is contained, and arrest the keeper or keepers of such place, and take them forthwith, or as soon as may be, before some justice of the peace, or police court, with the liquor and vessels so found and seized, and to make complaint for the arrest and trial of such person or persons, and for the seizure and confiscation of such liquors, according to the provisions of this Act.

SEC. 32. PARTIES MAY APPEAL FROM THE POLICE COURT.—Every person convicted under the last section, or of any offense under this Act, by any police court, or justice of the peace, may appeal from the sentence to the

court of common pleas, or to the municipal court, then next to be holden in the same county; and such appellant shall be committed to abide the sentence of the said justice or court until he shall recognize to the Commonwealth in the sum of not less than one hundred dollars, with two good and sufficient sureties, with condition to appear at the court appealed to, and there to prosecute his appeal, and to abide the sentence of the court thereon, and in the mean time to keep the peace and be of good behavior.

SEC. 33. CONVICTED PARTIES MUST RECOGNIZE.—Every person convicted of any offense under this Act shall, in addition to the punishment herein prescribed, be required by the court or magistrate before whom he is convicted, to recognize to the Commonwealth in a sum not less than one thousand, nor more than two thousand dollars, that he will not, within one year from the time of said conviction, violate any provision of this Act, or any law of this Commonwealth relating to the manufacture and sale of intoxicating liquor, and shall stand committed until he enter into such recognizance.

SEC. 34. DELIVERY OF LIQUORS EVIDENCE OF A SALE.—In all cases under this Act, delivery of intoxicating liquor in or from any building or place, other than a private dwelling-house or its dependencies, or in such dwelling-house or dependencies if any part of the same be a tavern, public eating-house, grocery, or other place of common resort, shall be deemed *prima facie* evidence of a sale, and be punishable as such sale; and a delivery in or from a private dwelling-house, with payment, or promise of payment, either express or implied, on, before, or after such delivery, shall be deemed *prima facie* evidence of a sale within the meaning of this Act, and shall be punishable in like manner.

SEC. 35. LIQUOR CASES SHALL TAKE PRECEDENCE IN COURT, ETC.—All cases arising under this Act, whether by action, indictment, or complaint, which shall come before any court, either by appeal, or original entry, shall take precedence in said court, of all other business, except those criminal cases in which the parties are actually imprisoned awaiting a trial; and the prosecuting officer shall not have authority to enter a *nolle prosequi*, or to grant a continuance in any case arising under this Act, either before or after the verdict, except where the purposes of justice may require it, which shall be shown either upon a written motion filed in the case on behalf of the defendant, or a written statement filed by the prosecuting officer, stating the reason for a continuance; and a *nolle prosequi* shall not be entered by the prosecuting officer, excepting with the concurrence of the court. And in all cases arising under this Act before a justice of the peace or police court, no admission of the defendant made in court shall be received on the trial without the consent of the prosecutor, except a plea of guilty.

SEC. 36. DUTIES OF DISTRICT ATTORNEYS, ETC.—The district attorneys, and the attorney of the Commonwealth for the county of Suffolk, are hereby directed to commence suits upon all recognizances given under this Act, within their respective districts, within sixty days after default shall have been entered of record, or they shall have satisfactory evidence of any act which should cause a forfeiture thereof respectively; and no suit on any recognizance shall be continued, unless for good cause satisfactory to the court. But nothing herein contained shall prevent the commencement of such suit after the expiration of said sixty days.

SEC. 37. LIQUORS AND IMPLEMENTS FOR SELLING, COMMON NUISANCES. NO ACTION SHALL BE MAINTAINED IN COURT FOR PRICE OF LIQUOR ILLEGALLY SOLD.—All intoxicating liquors kept for sale, and the implements and vessels actually used in selling and keeping the same, contrary to the

provisions of this Act, are hereby declared to be common nuisances, and are to be regarded and treated as such; all payments or compensations for spirituous or intoxicating liquors sold in violation of law, whether in money, labor, or personal property, shall be held and considered to have been received without consideration, and against law, equity, and good conscience; and, in any action, either at law or equity, touching such money, labor, or personal estate, the purchaser, and also the seller of such liquors, may be witnesses for either party. And no action of any kind shall be had or maintained, in any court in the Commonwealth, for the price of any liquor sold in any other State for the purpose of being brought into this Commonwealth to be here kept or sold in violation of law, under such circumstances that the vender would have reasonable cause to believe that the purchaser entertained such illegal purpose; and all bills of exchange, promissory notes, and other securities for and evidences of debt whatsoever, given in whole or in part for the price of liquor sold in violation of this Act, shall be void against all persons holding the same, with notice of such illegal consideration either direct or implied by law.

Sec. 38. Rights and Duties of Sheriffs and other Officers.—No action shall be had or maintained against any sheriff, deputy sheriff, chief of police, or deputy chief of police, or constable, or their assistants, for executing any warrant or order issued under this Act, by any justice or court competent to try the same; nor shall any action be had or maintained against any officer for seizing, detaining, or destroying any intoxicating liquor, or the vessels containing it, unless such liquor and vessels were legally kept by the owner thereof, And if any sheriff, chief of police, or deputy chief of police, marshal, constable, or other officer, to whom any warrant, process, or precept, provided for in this Act, may be directed, shall neglect or refuse to serve and execute the same, he shall be fined not less than three hundred dollars, and not exceeding one thousand dollars, and it shall be a sufficient cause for removal or dismissal from office; and for any loss or damage arising to him, without fault or negligence on his part, in consequence of obedience to any precept, process, or warrant aforesaid, duly served, indemnity, if claimed, shall be claimed of the Commonwealth, after the loss or damage sustained, and in no other manner.

Sec. 39. Repeal of the Law of 1852.—The Act entitled "An Act Concerning the Manufacture and Sale of Spirituous or Intoxicating Liquors," passed in the year eighteen hundred and fifty-two, and all other Acts and parts of Acts inconsistent with the provisions of this Act, are hereby repealed. But this repeal shall not affect any action or prosecution which has been already commenced, or which may be hereafter commenced, or any rights acquired, or liabilities incurred, by virtue of any existing law, on account of any thing done before this repeal takes effect. The provivsions of the fourth section of the one hundred and thirty-ninth chapter of the Revised Statutes shall not be deemed to apply to cases arising under this Act.

House of Representatives, April 14, 1855.
Passed to be enacted. DANIEL C. EDDY, *Speaker.*

In Senate, April 17, 1855.
Passed to be enacted. HENRY W. BENCHLEY, *President*
April 20, 1855. Approved. HENRY J. GARDNER.

Secretary's Office,
Boston, April 30, 1855.

A true copy. Attest:
E. M. WRIGHT, *Secretary of the Commonwealth.*

AN ACT TO INDEMNIFY OFFICERS FOR HAVING SEIZED AND DESTROYED INTOXICATING LIQUORS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SEC. 1. INDEMNIFICATION FOR DAMAGES.—Whenever a judgment for damages has been or may be recovered against any justice of the peace, justice of any police court, sheriff, deputy sheriff, constable, or other magistrate or officer, in any action brought against him on account of any thing heretofore done by him in good faith in his official capacity under and by virtue of the Act entitled "An Act Concerning the Manufacture and Sale of Spirituous and Intoxicating Liquors," passed in the year eighteen hundred and fifty-two, he shall receive the amount of damages and costs so recovered against him of the treasurer of the Commonwealth; *provided* the judge or justice before whom the case may be tried shall certify, under his hand, that the said judgment was recovered against such magistrate or officer on account of some act done by him in good faith in his official capacity under the statute aforesaid.

SEC. 2. INDEMNIFICATION FOR EXPENSES.—And the treasurer of the Commonwealth shall also pay to any such magistrate or officer, against whom judgment may be recovered as aforesaid, such further sum as the judge or justice who may try the case shall, in his said certificate, certify has been fairly and reasonably expended, by said magistrate or officer, in carrying on the defense of any such suit.

SEC. 3. INDEMNIFICATION FOR PRECEDING LIABILITIES.—Whenever any such magistrate or officer, who, having rendered himself liable in his official capacity as aforesaid, or any person acting in their behalf, or in behalf of either of them, shall have settled and paid the same previous to the passage of this Act, such magistrate or officer, or other person, as aforesaid, may petition the court of common pleas within and for the county in which he may reside for an allowance of the amount so paid; and if it shall be made to appear to the satisfaction of said court that it was a proper case to be settled, then the justice of said court shall certify to the treasurer of the Commonwealth such amount as he shall deem just and proper for such magistrate or officer, or other person, as aforesaid, to receive; and the treasurer of the Commonwealth, on receiving said certificate, shall pay the amount therein allowed to the magistrate or officer, or other person, as aforesaid, in whose favor the same is made.

AN ACT FOR THE SUPPRESSION OF CERTAIN COMMON NUISANCES.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SEC. 1. DEFINITION OF NUISANCES.—All buildings, places, or tenements used as houses of ill fame, resorted to for prostitution, lewdness, or

illegal gaming, or used for the illegal sale or keeping of intoxicating liquors, are hereby declared to be common nuisances, and are to be regarded and treated as such.

SEC. 2. FINE FOR COMMON NUISANCE.—Any person keeping or maintaining any such common nuisance shall be punished by fine not exceeding one thousand dollars, or by imprisonment in the county jail not more than one year.

SEC. 3. LEASE AND TITLES NULLIFIED.—If any person, being a tenant or occupant under any lawful title of any building or tenement not owned by him, shall use said premises, or any part thereof, for any of the purposes enumerated in the 1st section of this Act, such use shall annul and make void the lease or other title under which said occupant holds, and, without any act of the owner, shall cause to revert and vest in him the right of possession thereof; and said owner may make immediate entry, without process of law, upon the premises, or he may avail himself of the remedy provided in the 104th chapter of the Revised Statutes; and the provisions of said chapter shall be deemed to extend to all such cases; and any person appealing from any judgment rendered upon said complaint shall be required to enter into the same recognizance now provided by the 142d chapter of the law of eighteen hundred and forty-eight.

SEC. 4. RESPONSIBILITY OF LANDLORDS.—If any person shall knowingly let any building or tenement owned by him, or under his control, for any of the purposes in the 1st section of this Act enumerated, or shall knowingly permit any such building or tenement, or part thereof, to be so used while under his control, or shall, after due notice of any such use of said building or tenement, omit to take all reasonable measures to eject the said person from said premises as soon as the same may lawfully be done, he shall be deemed and taken to be guilty of aiding in the maintenance of such nuisance, and be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than thirty days nor more than six months.

AN ACT TO PROHIBIT THE USE OF POISONOUS SUBSTANCES IN THE MANUFACTURE OF SPIRITUOUS AND INTOXICATING LIQUORS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SEC. 1. ADULTERATION OF LIQUORS.—If any person shall adulterate, for the purpose of sale, any beer, or other malt liquor, or any wine, or any distilled liquor, or any spirituous or intoxicating liquor intended for drinking with coculus indicus, vitriol, grains of paradise, opium, alum, capsicum, copperas, laurel water, logwood, Brazil wood, cochineal, sugar of lead, or any other substance which is poisonous or injurious to health, or if any person shall sell any such liquor intended for drinking adulterated,

as aforesaid, with any substance above named, or any other substance which is poisonous or injurious to health, knowing the same to be so adulterated, he shall be punished by imprisonment in the State prison not more than three years.

AN ACT CONCERNING THE PURCHASE OF SPIRITUOUS AND INTOXICATING LIQUORS FOR TOWN AGENTS.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows.

SEC. 1. PURCHASING COMMISSION. — The governor, by and with the consent of the council, shall, within thirty days from the passage of this Act, appoint and commission a competent person to purchase and sell spirituous and intoxicating liquors of a pure quality to the several agents appointed or to be appointed under the provisions of an Act passed on the 20th day of April, in the year one thousand eight hundred and fifty-five, entitled, "An Act concerning the Manufacture and Sale of Spirituous and Intoxicating Liquors."

SEC. 2. COMMISSIONER'S OFFICE IN BOSTON.—Such person so appointed and commissioned shall establish and maintain in the city of Boston a suitable office or place of business, and shall purchase and sell to such city and town agents, and to them only for the purposes in said Act specified, and in such quantities as they may require, spirituous and intoxicating liquors, which shall be of a pure quality and unadulterated with any mixture or noxious or poisonous substance whatever. All said sales shall be made for cash, and at a price not exceeding an advance of five per centum upon the actual cost.

SEC. 3. RECORD OF COMMISSIONER.—Such person so appointed and commissioned shall keep a record, in which shall be plainly and truly recorded all purchases and sales made by him under this Act, the prices at which the same were made, and the names of the persons of and to whom made; and the said record shall be at all times open to the inspection of the mayor and aldermen of the several cities, the selectmen of the several towns, and to the prosecuting officers of the Commonwealth; and all packages of liquors sold by him shall have his seal affixed thereto before delivery thereof; and the transportation of all liquors so purchased and so sold and sealed as aforesaid shall be allowed by law.

SEC. 4. BOND OF COMMISSIONER.—Such persons, within ten days after being so appointed and commissioned, shall file in the office of the treasurer of the Commonwealth a bond to the Commonwealth in the penal sum of twenty thousand dollars, with two or more good and sufficient sureties, to be approved by the treasurer, for the faithful performance by him of the requisitions of this Act.

SEC. 5. AGENTS TO PURCHASE OF COMMISSIONER.—All city and town agents appointed, or to be hereafter appointed, under the provisions of the aforesaid Act, concerning the manufacture and sale of spirituous and intoxi-

cating liquors, shall purchase all liquors to be sold by them, of the person appointed and commissioned as herein provided, or of authorized manufacturers, and in no other manner.

SEC. 6. COMPENSATION.—Nothing herein contained shall be construed to authorize or empower such person so appointed and commissioned to claim or receive of the Commonwealth any compensation for his outlay, services, or expenses in said business, or to contract any debt or obligation, or incur any liability on the faith or in behalf of the Commonwealth.

SEC. 7. PENALTY FOR ADULTERATION.—In case the person so appointed and commissioned shall adulterate or cause to be adulterated the said liquors or any part thereof, or shall, under the provisions of this Act, sell to persons other than a city or town agent, or at an advance greater than five per centum upon the cost as aforesaid, he shall, upon conviction for such offense, forfeit to the Commonwealth the amount of his aforesaid bond, and be imprisoned in the State prison not less than six months nor more than five years.

SEC. 8. WHEN TO TAKE EFFECT.—This Act shall take effect from and after its passage.

THE

PROHIBITORY LIQUOR LAW

OF

MICHIGAN.

AN ACT TO PREVENT THE MANUFACTURE AND SALE OF SPIRITUOUS OR INTOXICATING LIQUORS AS A BEVERAGE.

SEC. 1. MANUFACTURE AND SALE.—*The people of the State of Michigan enact,* That no person shall be allowed to manufacture or sell at any time, by himself, his clerks, servants, or agent, directly or indirectly, any spirituous or intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating, except as hereinafter specified.

SEC. 2. CONTRACTS FOR LIQUOR RENDERED NULL AND VOID.—All payments for such liquors hereafter sold in violation of law, shall be considered as having been received without consideration, and against law and equity, and any money or thing paid therefor may be recovered back by the person so paying the same, his wife, or any of his children; and all sales, transfers, grants, releases, quit claims, surrenders, mortgages, pledges, and attachments of real or personal estate, and liens and securities thereon, of whatever name or nature, and all contracts or agreements relating thereto, hereafter made the consideration whereof, either in whole or in part, shall have been the sale, or agreement to sell, any such liquor, shall be utterly null and void, against all persons, and in all cases, excepting only as against the holders of negotiable securities or the purchasers of property, who may have paid therefor a fair price, and received the same upon a valuable and fair consideration; nor shall any suit at law, or in equity, be had or maintained upon any contract or agreement whatever, hereafter made, the consideration whereof shall be either wholly or in part, the sale of such liquors in violation of law, excepting only when such suit is brought by such *bona fide* holders of negotiable paper, or purchaser of property without notice. Nor shall any demand arising upon any such contract or agreement whatever, be offered or allowed as a set-off or defense in any action whatever.

SEC. 3. PENALTY FOR SELLING, ETC.—If any person by himself, his clerk, agent, or servant, shall, directly or indirectly, sell, or keep for sale contrary to law, any such liquor, he shall forfeit and pay on the first conviction ten dollars and the costs of suit or prosecution, and shall be at once committed to the common jail of the county until the same be paid. On the second conviction for the like offense, he shall forfeit and pay twenty dollars and the cost of suit or prosecution, and shall be committed as aforesaid until the same be paid; on the third and every subsequent conviction he shall forfeit and pay one hundred dollars and costs, and shall, in addition to such

forfeiture, be imprisoned in such jail not less than three nor more than six months; *provided*, that on the first and second conviction, such person shall not be held committed for more than two months from the date of the conviction; *provided*, that it shall in no case be any defense that the person has been before convicted one or more times, but he may be prosecuted at any time, or any number of times, as for a first offense, if the several prosecutions are for distinct offenses.

SEC. 4. IMPRISONMENT OF COMMON SELLERS.—Every person who shall be a common seller, by himself, his clerk, agent, or servant, of any such liquors, and every person who shall be a manufacturer thereof, shall, on each conviction, forfeit and pay double the amount specified in the last preceding section, with the costs of suit or prosecution; and on the two first convictions, he shall be committed to such common jail until the same be paid, and on the third or any subsequent conviction, he shall, in addition to the forfeiture, be imprisoned in such jail for six months; *provided*, that a person convicted under this section shall not, on either a first or second conviction, be held committed for more than three months from the date of the conviction.

SEC. 5. EXECUTION AGAINST PROPERTY.—Notwithstanding such commitment, or such imprisonment provided for in the two last preceding sections, the sum so adjudged against the person convicted, and such costs, shall be and remain a valid judgment, upon which execution may issue against his property.

SEC. 6. LIQUORS FOR SALE A PUBLIC NUISANCE.—No person shall be deemed to have or acquire any legal property or ownership in any such liquor intended to be sold in violation of law, or in any casks or vessels containing them; but the same shall be deemed a public nuisance, and the person keeping the same may be proceeded against as in other cases of nuisance. And in addition to his liability as for a nuisance, such person shall be held liable to forfeit and pay the sum of twenty-five dollars, with costs of prosecution, for every such offense; and such liquors so kept for sale, and any casks or vessels containing the same, shall be forfeited. The forfeiture under this section shall be recovered in the same manner as those under sections 3 and 4 of this Act, and the forfeiture of such liquors, with the casks and vessels, shall be part of the judgment of the court; *provided*, that the same shall have been seized upon a warrant for that purpose; *provided*, that no person shall be punished as for a nuisance, and also proceeded against for such forfeiture, for the same offense.

SEC. 7. SEARCH WARRANT.—When complaint shall be made upon oath to any magistrate authorized to issue warrants in civil or criminal cases, that said complainant does verily believe that any person has in his possession, or under his control, with intent to sell the same contrary to law, in any particular house or place, any spirituous or intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating, such magistrate shall, if he find probable cause to believe such complaint to be true, issue a warrant to search for such liquors; but every such complaint shall state the facts and circumstances fully, upon which such belief is founded, that the magistrate may the better judge of the existence of such probable cause; and such complaint shall also describe the place to be searched, and the articles to be searched for. Every such warrant shall be directed to the sheriff, or any constable of the county, or the marshal, or other officer of any city or village, commanding such officer to search, in the daytime, the house or place described in such complaint (which place shall be described in the warrant, and the article to be searched for shall be described as near as may be therein), and to take and keep such articles, if any be found and

seized, in some safe and convenient place, to abide the order of the court; but no dwelling-house shall be searched under any such warrant, unless there shall have been offered to such magistrate positive proof, under oath, of a sale within thirty days immediately preceding, either upon such premises or from liquors kept therein for the purpose of sale. When any officer, in the execution of such warrant, shall seize any such liquor, and any such casks and vessels, he shall safely keep the same so long as shall be necessary, for the purpose of being produced or used in evidence on any trial, or until the person in whose possession, or under whose control, they may have been found, shall have been tried, upon any suit or prosecution that may have been commenced against him, for so keeping, or having such liquors contrary to the provisions of this Act, when, or as soon as may be thereafter, the same shall be restored to such person, if he be acquitted; but if he be convicted of keeping or having such articles so seized for sale, such liquors shall be destroyed, pursuant to the written order of the court, and any casks or vessels in which the same was found shall be sold under the direction of the court, which may have tried such person, or of the magistrate who issued such search warrant; and the money arising from the sale of any such casks or vessels, shall be paid over for the same uses as the fine or forfeiture adjudged against such party. It shall be the duty of the court so issuing said warrant to afford the person against whom or whose property the same issued, a speedy trial for any offense charged therein, or in the complaint on which the same founded, or for keeping said liquor; and the prosecution on the return of such warrant shall forthwith make or file a declaration against such person; and it shall be duty of the officer serving such warrant to notify the prosecutor of its return.

Sec. 8. Jurisdiction of Justices of the Peace.—Any justice of the peace of the county, or any municipal or police court of any city or village, shall have jurisdiction and authority to hear, try, and determine all cases arising under this Act occurring in any part of the county in which such justice resides, or in which such court sits, except for a breach of recognizance specifically mentioned in section 12 (of which the circuit court shall have jurisdiction). The suit shall be brought in the name of the people of the State of Michigan in an action of debt, and may be instituted by any person who is a resident of such county; and all parties to any such proceedings shall be competent witnesses in the case, except the defendant therein. Such suit may be instituted by the prosecuting attorney of the proper county; and it shall be the duty of the common council, attorney, or alderman of any city, the board of trustees of any village, and each one of them, and of the supervisor of any township, when any offense under the provisions of this Act shall have been committed, who shall have knowledge thereof, or reasonable evidence by affidavit thereof served upon him, to institute such suit without delay.

Sec. 9. Attendance of Witnesses.—Whenever a complainant is required by the provisions of this Act to state facts and circumstances for the information of any court or magistrate to whom such complaint is made, and he shall be unable by his own knowledge to state sufficient facts and circumstances to authorize the issuing of a warrant, such court or magistrate may, after the making of any such complaint, issue subpœnas directed to, and compel in the usual manner the attendance of witnesses, who may be required to testify to the best of their knowledge concerning such facts and circumstances.

Sec. 10. Commencement of Suit.—Any suit under this Act may be commenced by summons or by warrant before any justice of the peace, or

any municipal or police court, and all the proceedings of law relative to proceedings in justices' courts in civil actions, and all other provisions of law applicable to such cases, not repugnant to this Act, shall, so far as may be, apply to all the proceedings therein; but it shall not be necessary to pay or tender any fees to any witness subpœnaed in any case arising under the provisions of this Act; and if such witness shall neglect or refuse to obey such subpœna, an attachment may issue against him as in other cases. It shall not be necessary for either party to advance any jury fees before the rendition of judgment in such cases or in any case arising under this Act. The following form of complaint shall be sufficient to authorize the issuing of a warrant against any person or persons complained of, to wit:

State of Michigan, county of , ss.
, being duly sworn, says that he is a resident (supervisor, etc., as the case may be) of the (township, village, or city) of , in said county, and that he verily believes that did at , between the day of , A.D. 18 , and the day of , A.D. 18 , not including a period over thirty days, sell certain (spirituous or intoxicating) liquors in violation of an Act entitled "An Act to Prevent the Manufacture and Sale of Spirituous or Intoxicating Liquors as a Beverage."

And such complaint shall also set forth the facts and circumstances upon which such belief is founded. It shall not be necessary to describe in such complaint, or in the warrant issued thereon, the particular kind of liquor alleged to have been sold, or to state whether the offense is the first or any subsequent one, or the day on which, or the person to whom, such liquor was sold. And any suit arising under this Act may be commenced and prosecuted within the circuit court of the proper county in the same manner and with the like effect as in other civil cases, and said circuit court shall have jurisdiction concurrently with such justices of the peace, municipal or police court, to hear, try, and determine such suit. Such suit may be commenced in such circuit court by capias, upon filing an affidavit substantially the same as provided in this section, to be made before a justice of the peace Before such capias shall issue, a declaration shall be filed in said cause, in substance as hereinafter set forth, and a copy thereof shall be served upon the defendant at the same time the capias is served. Special bail shall be required in double the amount claimed in such declaration. Any person authorized to institute or commence such suit may appear therein in person, and prosecute the same, or may have an attorney or attorneys for such purpose. The declaration herein mentioned may be in the following form, to wit:

The Circuit Court for the County of (or other court, as the case may be).

County of , ss. The people of the State of Michigan complain of , in an action of debt, and that the same justly owes them the sum of dollars for a forfeiture which he has incurred by selling spirituous or intoxicating liquors (or for whatever offense that the suit may be brought) at , in said county, between the day of , A.D. 18 , and the day of , A.D. 18 (including a period of not more than thirty days), in violation of section of an Act entitled "An Act to Prevent the Manufacture and Sale of Spirituous or Intoxicating Liquors as a Beverage," whereof they bring suit,

By (prosecutor or attorney).

And if such suit shall be brought for a second or subsequent offense, the following additional averment, in substance, shall be deemed sufficient:

And the said people further say, that the said has heretofore been once (or twice, as the case may be) convicted of the like offense, to wit, at , on the day of , A.D. 18 , before ..

On the trial of any such cause it shall not be necessary to aver or prove the sale of any particular kind of liquor by name, or the day on which or to whom it was sold; and proof of the manufacture, use, or sale, or keeping for sale of any mixed liquors shall be construed to be included under the description of spirituous or intoxicating liquors.

Sec. 11. Recovery of Forfeiture.—Any forfeiture under this Act may be recovered by indictment as for a misdemeanor, and upon conviction the court shall adjudge and order the defendant to pay the same sums; to be committed and imprisoned in the same manner as when the proceeding is by action of debt, and such judgment and the execution thereon shall have the like effect.

Sec. 12. Appeal or Writ of Error.—In all actions herein provided for, the prosecutor may take an appeal or writ of error, in the name of the people of the State of Michigan, upon the same terms and conditions as if he was plaintiff; and the defendant may likewise take an appeal or writ of error, and any such appeal or writ of error shall be taken within the same time, upon the same conditions, and in the same manner as in any other civil action; *provided*, that the defendant, before any appeal or writ of error shall be allowed or considered as taken, and within the time for taking such appeal or writ of error, in addition to any other act or recognizance which may be required by law, shall enter into a recognizance in the sum of two hundred dollars, with two good and sufficient sureties, to the satisfaction of the court from the judgment of which such appeal or writ of error is taken, conditioned that such defendant will not, during the pendency of such appeal or writ of error, violate any of the provisions of this Act; which recognizance shall be sent up with the other papers in the case on appeal to the circuit court; and in case of a writ of error, it shall be filed with the clerk of the court in which such judgment was rendered. It shall be the duty of the prosecuting attorney of the county to bring a suit for any breach of the recognizance last mentioned whenever he shall be informed that the condition thereof has been broken; and it shall be his duty to prosecute all suits arising under this Act brought into the circuit court, whether by appeal or otherwise; *provided*, that he shall in no case have the power to enter a *nolle prosequi*, or discontinuance, without leave of the court, and for reasons therefor, presented to the court in writing, and filed in the cause.

Sec. 13. Powers of Courts.—In every court, in actions of debt arising under this Act, the powers of the court, the rules of practice, and the trial and other proceedings shall be the same as in other civil actions, and the costs shall be the same in amount, and taxed in the same manner. In any municipal or police court the powers of the court and the whole proceedings shall be the same as in such cases before justices' courts, and whenever the circuit court is mentioned in this Act the district court of the Upper Peninsula shall be considered as equally intended.

Sec. 14. Bonds of Drug Venders.—Every seller of drugs and medicines shall be held to be included in all the prohibitions and penalties of this Act against the selling of spirituous or intoxicating liquors, or mixed liquors, a part of which is spirituous or intoxicating, excepting only those

persons whose sole or principal business is the selling of drugs and medicines other than intoxicating liquors, who shall, in person, with two or more sufficient sureties, give bond to the people of the State of Michigan, and cause the same to be filed in the office of the county clerk, in the sum of not less than five hundred dollars in any township, or one thousand dollars in any city or incorporated village, where he carries on such business. Any partner may execute such bond jointly, which bond shall be in the following form:

Know all men by these presents, that we, , as principal, and and , as sureties, are held and firmly bound unto the people of the State of Michigan in the sum of dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators firmly by these presents, sealed with our seal, and dated this day of , A.D. 18 . Whereas the above-named principal is now carrying on, and proposes to continue, the business of selling drugs and medicines in , in the county of , and whereas the said principal hath covenanted and agreed, and doth hereby covenant and agree as follows, to wit: that he will not, directly or indirectly, by himself, his clerk, agent, or servant, at any time, sell any spirituous or intoxicating liquors, or any mixed liquor a part of which is spirituous or intoxicating, except to be used as a medicine, as a chemical agent in scientific, mechanical, or manufacturing purposes, or wine for sacramental purposes. That he will not sell the same to any person who he knows, or has good reason to believe, intends to use it as a beverage, or for any other purpose than such as are herein expressed, or to any person to be drunk for any person upon the premises. That he will not sell any such liquor to a minor, unless upon the written order of his father, mother, guardian, or family physician. That he will keep a book containing a list, in writing, of the names of all persons who shall from time to time purchase any such liquor of him, his clerk, agent, or servant, and of the persons who act as their agents in such purchase, together with the quantity and kind of liquor purchased on each and every occasion, and the declared object for which the same was purchased; which list shall, on demand, be exhibited to any elector of the township, city, or village. And that he will not in any case sell or deliver any such liquor for any purpose whatever to any person known to him to be an habitual drunkard or a person in the habit of getting intoxicated.

Now the condition of this obligation is such, that if the said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, then this obligation shall be void and of no effect; otherwise, the same shall be in full force and effect.

Signed and sealed in presence of [L. S.]
[L. S.]
[L. S.]

Such bond shall afford such principal no protection unless the approval thereof by the township board, or the board of trustees, or common council of the village or city shall be duly certified thereon in writing; and he shall not be allowed to sell such liquor in any other place on pain of forfeiting the same amounts and being proceeded with in the same manner as if no such bond had been given. Whenever any condition of such bond shall be broken, it shall be the duty of the prosecuting attorney of the county to put the same in suit, and collect the amount thereof by due course of law;

and from the time of such breach said bond shall afford said principal no protection against any suit or prosecution under this Act. It shall be the duty of such seller of drugs and medicines, his clerk, agent, or servant, whenever applied to sell any such liquor, to inquire of the person so applying for what purpose or use the same is intended, and it shall be the duty of such applicant to inform him truly. In case such applicant shall, in answer to such inquiry, make a false statement, he shall be liable to the same forfeitures that are provided in section 3 for the unlawful selling of such liquors, which forfeitures may be enforced in the same manner, and with like consequences, as those mentioned in said section. And if such applicant shall omit or refuse to answer, and such seller of drugs and medicines shall, notwithstanding, sell and deliver to him any such liquors, he shall lose all protection by virtue of said bond, and may be proceeded against in the same manner as if the same had not been given. If any person is in the habit of getting intoxicated, and any member of his family, or three other persons shall make complaint on oath or affirmation to any member of the township board, trustees, or common council of any township, city, or village in any county that said person is in the habit of getting intoxicated, it shall be the duty of said member of the common council, trustees, or township board to make summary inquiry on due notice to the person charged with being in the habit of getting intoxicated, and if the fact be found as charged in the complaint, forthwith to forbid all sellers of drugs or medicines in such township, village, or city to sell such person any such liquors for any purpose whatever; and if such seller of drugs and medicines shall, after being notified as aforesaid, sell such person any such liquors, he shall be proceeded against for an unlawful sale, as in other cases.

Sec. 15. Giving away Liquors Unlawful.—The giving away of intoxicating liquors, or any other shift or device, with intent to evade the provisions of this Act, shall be deemed an unlawful selling within the meaning of this Act, and every person who, as clerk, agent, or servant of another, shall sell any such liquor, shall be deemed equally guilty as his principal, and may be prosecuted for such selling. And if any person shall knowingly solicit or encourage any one who has previously used intoxicating drinks habitually or injuriously to use as a beverage any such liquors; or if he shall voluntarily, directly or indirectly, give any such liquors, or cause the same to be given, to such person; or shall, with the intention of having such person drink or use them, place any such liquors, or cause or procure the same to be placed where such persons may obtain them, to be used as a beverage, such persons so offending shall be subject to the penalties and forfeitures provided in this Act against selling such liquors.

Sec. 16. Persons found Intoxicated.—Whenever complaint shall be made on oath, before any justice of the peace in any county, or any municipal or police court of any city or village, that any person is found intoxicated in any tavern, store, shop, public building, street, alley, highway, or place other than a private dwelling-house; or when complaint on oath shall be made before such justice, municipal or police court, by the wife, or any child of sufficient age and discretion to make oath, of any person found intoxicated in any dwelling-house in such county, it shall be the duty of such justice, municipal or police court, to issue a subpœna to compel the attendance of such persons so found intoxicated as aforesaid to appear before the justice or court issuing the same, to testify in regard to the person or persons, and the time when, the place where, and the manner in which the liquor producing his intoxication was procured; and if such person, when subpœnaed, shall neglect or refuse to obey such writ, the said justice or court

who issued the same shall have the same power and authority to compel the attendance of the person so subpœnaed, and to enforce obedience to such writ as in other civil cases. Whenever the person so subpœnaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer on oath the following question, to wit: "When, where, and of whom did you procure, obtain, or receive the liquor or beverage the drinking or using of which has been the cause of the intoxication mentioned in the complaint?" And if such person shall refuse to answer fully and fairly such question on oath, he shall be punished and dealt with in the same manner as for a contempt of court, as in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this Act have been committed in this State, such justice or court before whom such testimony is given shall make a true record of the same, and cause it to be subscribed by such witness; and the said testimony or answer, when subscribed as aforesaid, shall be deemed and taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this Act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by, and subject to, the provisions of this Act and all other rules of law applicable thereto.

Sec. 17. Forfeitures for the Use of the Poor.—All forfeitures and sums of money arising under this Act, upon any recognizance or bond, after payment of the costs of prosecution or suit, shall be paid over to the treasurer of the proper county, to be applied to the support of the poor, in accordance with the laws relating to the support of poor persons by counties; and all other fines and forfeitures, arising under this Act, shall be paid over and applied according to the constitution and provisions of law.

Sec. 18. Refusal of Officers to Enforce the Law a Misdemeanor.—If any sheriff, under sheriff, deputy sheriff, constable, city attorney, city or village marshal, prosecuting attorney, or other person, whose duty it is to serve process, or carry into effect any of the provisions of this Act, shall refuse or neglect so to do without good cause, he shall be deemed guilty of a misdemeanor; and on conviction thereof, he shall be fined or imprisoned as in other cases of misdemeanor; and in addition to such punishment, he may be adjudged to have forfeited his office, and may be removed by competent authority. Whenever the prosecuting attorney is mentioned in this Act, the district attorney of the Upper Peninsula shall be considered equally intended.

Sec. 19. Manufacture by Authority. Cider, Wine, etc.—This Act shall not be construed as prohibiting the manufacture of the alcohol of commerce, containing not less than eighty parts in the hundred of pure alcohol; *provided*, that the manufacturer shall not be at liberty to sell the same within the State, excepting only to the persons who may have given bonds, pursuant to section 13 of this Act; and any other sale of such alcohol shall be deemed to be within the prohibitions, penalties, and forfeitures of this Act; *provided*, nothing contained in this Act shall be construed to prohibit the making of cider from apples, or wine from grapes, or other fruits, grown or gathered by the manufacturer thereof (if made in this State, and free from all intoxicating liquors); but in no case shall such cider be sold in a less quantity than ten gallons, or such wine in a less quantity than one gallon, and sold to be, and be all taken away at one time; and all sales of such cider in less quantity than ten gallons, or wine in less than one gallon, or

be drank or used on the premises, shall be an unlawful sale in the meaning of this Act, and be punished accordingly.

SEC. 20. IMPORTED LIQUORS.—The provisions of this Act shall not be construed to apply to such liquors as are of foreign production, and which have been imported under the laws of the United States, and in accordance therewith, and are contained in the original packages in which they were imported, and in quantities not less than the laws of the United States prescribe. To entitle any liquors to the exemption contained in this section, it must be made to appear by positive proof that they are of the character this section described; nor shall custom-house certificates of importation, and proof of marks on the casks or packages corresponding therewith, be received as evidence that the liquors contained in such packages are those actually imported therein.

SEC. 21. REPEAL OF FORMER ACT.—The Act entitled "An Act Prohibiting the Manufacture of Intoxicating Beverages, and the Traffic therein," approved February 12, 1853, all laws inconsistent with this Act are hereby repealed, saving all rights of action which may have accrued under either of said Acts, all pending suits under either of said Acts, which may be prosecuted to final judgment in the same manner and with the like effect as if said Acts were not repealed.

THE

PROHIBITORY LIQUOR LAW

OF

NEW YORK.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SEC. 1 SALE OF LIQUOR ILLEGAL.—Intoxicating liquor, except as hereinafter provided shall not be sold, or kept for sale, or with intent to be sold, by any person, for himself or any other person, in any place whatsoever; nor shall it be given away (except as a medicine, by a physician pursuing the practice of medicine as a business, or for sacramental purposes), nor be kept with intent to be given away in any place whatsoever, except in a dwelling-house in which, or in any part of which, no tavern, store, grocery, shop, boarding or victualing-house, or a room for gambling, dancing, or other public amusement or recreation of any kind is kept; nor shall it be kept or deposited in any place whatsoever, except in such dwelling-house, as above described, or in a church, or place of worship, for sacramental purposes, or in a place where either some chemical, mechanical, or medicinal art, requiring the use of liquor, is carried on as a regular branch of business, or while in actual transportation from one place to another, or stored in a warehouse prior to its reaching the place of its destination. This section shall not apply to liquor the right to sell which in this State is given by any law or treaty of the United States.

SEC. 2. AUTHORIZED SALE.—Any citizen, of good moral character, who is an elector of the town or city where he intends to sell intoxicating liquor, as hereinafter provided, and who is not a peddler, nor the keeper of, or interested in any boarding or victualing-house, grocery, or fruit store, or any bar-room, confectionery, inn, tavern, or other place of public entertainment, or the keeper of, or interested in, any museum, theater, or other place of public amusement, nor the captain, commandant, agent, clerk, or servant of or on any vessel, boat, or water craft of any kind whatever, may keep for sale, and may sell intoxicating liquor and alcohol, for mechanical, chemical, or medicinal purposes, and wine for sacramental use; provided he shall, within one year previous, have filed in the office of the clerk of the county in which such liquor is to be sold, an undertaking executed by himself and two good and sufficient sureties, to be approved by the county judge of the said county, or in the city of New York by one of the judges of the common pleas, and acknowledged before said judge, that he will not violate any provision of this Act, and will pay all fines, damages, and costs which may be imposed upon or recovered against him in any action, civil or criminal, to be commenced under any of the provisions of this Act; and provided further,

that he shall also have filed with his undertaking or declaration an oath or affirmation, taken before said judge, setting forth the town or ward, and particularly designating and describing the premises and place in which he intends to sell such liquor, and declaring that he is an elector of such town or ward, and does not use intoxicating liquor as a beverage, and is not, and during the time he shall sell such liquor, will not be a peddler, nor the keeper of, nor interested in any inn, tavern, boarding-house, victualing-house, grocery, or fruit store, bar-room, confectionery, nor other place of public entertainment, nor the keeper of, nor interested in any theater, museum, or other place of public amusement, or the captain, commander, agent, clerk, or servant of or on any vessel, boat, or water craft of any kind whatever, and will not violate any provision of this Act; and provided, further, that he shall, within one year previous, have filed a copy of such undertaking and declaration, certified by the county clerk, in the office of the clerk of the town or city in which such liquor is to be sold. No such undertaking shall be approved by any such judge, unless the applicant shall be a man of good moral character, and such sureties shall be householders within such county, and severally justify, in the sum of five hundred dollars each, over and above all debts, demands, liabilities, or legal exemptions, and shall also make oath or affirmation that they have not become possessed of any property for the purpose of enabling them to justify as such sureties, and that they are not and will not become directly or indirectly engaged or interested in the manufacture or sale of intoxicating liquor during the continuance of their suretyship.

Sec. 3. Regulations for Authorized Sellers.—Any person, authorized as in the last section provided, shall not do any thing contrary to his said undertaking, nor to what he has sworn in his said oath or affirmation; nor shall he sell any liquor known by him to be impure or adulterated, nor shall he suffer any liquor sold by him to be drunk upon the premises where the same is sold; but he may sell in the following cases, and no other:

I. To any person of the age of twenty-one years, being of good character for sobriety, provided the person selling the same shall have good reason to believe, and shall believe, that the same is intended by the purchaser to be used for some one of the purposes in the preceding section named, and not to be sold, disposed of, or given away, or to be drunk on the premises contrary to the provisions of this Act; or,

II. To any person authorized to sell such liquor as in the last section provided.

Every person authorized to sell, as in the last section provided, shall keep a book of sales, in which he shall enter, or cause to be entered, every sale made by him, which entry shall contain the kind, quantity, price, purpose for which, name of the person to whom, and time when sold, which book shall at all times during business hours be open to public examination by any resident of the town or city. Every person so selling liquor, shall file with the clerk of the town or city where he sells the same, between the first and fifteenth days of each month, a sworn copy of such sales, and of all purchases made by him, containing kind, quantity, and price, with an affidavit that the same contains a correct account of the sales, and all the sales and purchases made by him during the previous month according to his best knowledge, information, and belief; but nothing in this Act contained shall be construed to prevent the sale by legal process (in case of the insolvency of the authorized liquor-seller) of any liquors held by him at the time of such insolvency, to any other liquor-seller authorized to sell by this Act; nor to prevent the legal representatives of any deceased person (who at the time

of his decease was an authorized liquor-seller) from selling any such liquor, as may come to their possession as property of such deceased liquor-seller, to any person authorized by this Act to sell liquor.

SEC. 4. FORFEITURES AND PENALTIES.—Every person who shall violate any provision of either of the preceding sections, shall, upon conviction, be adjudged guilty of a misdemeanor, and except for failure to file his return or make his entries as in the last section provided, shall forfeit all the liquor kept by him in violation of either of the preceding sections, and be punished as follows: For any violation of section first, for the first offense, by a fine of fifty dollars; for the second offense, by a fine of one hundred dollars, and thirty days' imprisonment; for the third and every subsequent offense, by a fine of not less than one hundred, nor more than five hundred dollars, and by imprisonment, not less than three nor more than six months. For any violation of section second or third, by a fine of one hundred dollars, and by imprisonment in the county jail for not less than thirty days, and be ever thereafter disqualified for selling liquor within this State. Upon every conviction the defendant shall also be required to pay all costs and fees as provided by this Act. In default of payment of any such fine, costs, and fees, or any part thereof, the defendant shall be committed, until the same are paid, not less than one day per dollar of the amount unpaid. If any person purchasing any liquor as in the last section provided, shall, at the time, make any false statement concerning the use to which such liquor is to be applied, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay a fine of ten dollars and costs, and counsel fees, as provided in this Act, and stand committed until paid, not less than one day per dollar of the amount unpaid.

SEC. 5. JUDICIAL OFFICERS.—Every justice of the peace, police justice, county judge, city judge; and in addition, in the city of New York, the recorder, city judge, each justice of the marine court, and the justices of the district courts—and in all cities where there is a recorder's court, the recorder—shall have power to hear and determine charges, and punish for all offenses arising under any of the provisions of this Act, and they are each hereby authorized and required to hold courts of special sessions for the trial of such offenses, and under this Act to do all other acts and exercise the same authority that may be done or exercised by justices of the peace in criminal cases, and by courts of special sessions, as the same are now constituted; and the term magistrate as used in this Act, shall be deemed to refer to and include each officer named in this section. Such court of special sessions shall not be required to take the examination of any person brought before it upon charge of an offense under this Act, but shall proceed to trial as soon thereafter as the complainant can be notified; and for good cause shown, he may adjourn from time to time, not exceeding twenty days. At the time of joining issue, and not after, either party may demand trial by jury, in which case the magistrate shall issue a venire and cause a jury to be summoned and impanneled as in other criminal cases in course of special sessions. The complainant may appear upon such trial on behalf of the people, and prosecute the same with or without counsel. He may also prosecute the same in all the courts to which, as hereinafter provided, appeal may be taken, in person or by attorney, or he may apply to the district attorney, whose duty it shall be, upon such application, to appear and conduct said trial, or the appeal from the judgment thereon, or both. The same costs and disbursements shall be allowed against the defendant upon such appeal as are now allowed in civil actions, in those courts to which appeals may be taken, according to the provisions of this Act. In all cases, if the district

attorney shall appear and conduct the appeal, the costs, if any, shall go to him for his individual use, in other cases, to the complainant, and, in default of the payment of the whole or any part thereof, the defendant may be committed to the same extent as provided in the fourth section of this Act.

SEC. 6. SEARCH WARRANT.—Whenever complaint on oath or affirmation shall be made in writing to any magistrate by one or more credible persons, resident of the county where the complaint is made, or of an adjoining county, that he or they have reason to believe, and do believe, that intoxicating liquor is kept or deposited in violation of any provision of section first of this Act, whether the person so keeping or depositing the same, is or is not known to the complainant, in some specified place or places within the city or town in which such complaint is made, or upon any water adjacent thereto, or within five hundred yards of the boundaries thereof, which complaint shall state the facts and circumstances upon which such belief is founded, or such facts and circumstances shall be stated upon oath or affirmation of some other person, it shall be the duty of such magistrate, if he is satisfied that there is probable cause for said belief, forthwith to issue a warrant, directed in the same manner as criminal processes are now directed, commanding the officer, with proper assistance, forthwith diligently to search such place or places, and to seize all intoxicating liquor found therein, which, from said complaint or other proof furnished, said magistrate shall be satisfied there is probable cause for believing it is kept or deposited in violation of any provision of section first, together with the vessels in which the same is contained, and to store the same in some safe and convenient place, to be disposed of as hereinafter provided. If, from such complaint or proof, or both, the person so keeping or depositing said liquor shall be made known or ascertained to the satisfaction of said magistrate, he shall issue a separate warrant for the arrest of such person, to be dealt with according to the provisions of this Act. But no warrant shall be issued under this Act to search any such dwelling-house as is described in section first of this Act, unless the occupant thereof shall have been convicted, as hereinbefore provided, of having sold intoxicating liquor in his dwelling-house, or suffered it to be done, within one year next preceding the issuing thereof. Every warrant so issued shall particularly describe the place to be searched and the things to be seized.

SEC. 7. PROCESS AFTER SEIZURE.—Whenever any liquor shall be seized under any provision of this Act, it shall be the duty of the officer by whom such seizure is made, except in cases where the owner thereof shall have been arrested, forthwith to give written notice to the owner or his agent, if known, of the seizure of such liquors, which, and the vessels containing the same, shall be described in such notice as near as may be, and of the name of the magistrate by whom the warrant was issued, or in case of seizure under section twelfth, before whom the person arrested was carried, and the name and residence of such officer making such seizure, and the time of such seizure. Such notice shall be served by delivering it to the owner or his agent, personally, or by leaving the same at his last or usual place of residence, with a person of mature age, residing on the premises. If the owner or his agent can not be found, and his place of residence is not known to the officer, such notice shall be served by delivering the same to any person of mature age, residing or being employed in the place in which such liquor was contained, or, if none such can be found, by posting the same in a conspicuous place upon the outer door of such place; and copies of such notice containing also a description of the place in which such liquor was found, shall

forthwith be conspicuously posted in at least three public places, within said city or town. Any person may, at any time, before forfeiture, present to the magistrate named in such notice, an affidavit or affirmation in writing, stating that such liquor, at the time of such seizure, was actually owned by him, or by some other person named by him, for whom he is agent; that he or such person had not become possessed thereof for the purpose of preventing its forfeiture, and that the same had not been kept contrary to the provisions of this Act, to the best of his knowledge and belief, and also specifying the purpose for which, the place where, under which exception of section first the same was kept and the facts particularly showing it to be within the exception; and thereupon the same proceedings before said magistrate, shall in all respects be had, as are provided in section fifth. Upon the trial of such claim, the custom-house certificates of importation, and proofs of marks, on the casks or packages corresponding thereto, shall not be received as sufficient evidence that the liquors contained in said casks or packages, are those actually imported therein. The magistrate shall keep minutes of the proceedings, testimony, and judgment, upon all trials, under this, or section fifth, which shall be subscribed by him. He shall have power to issue process to compel the attendance of witnesses, and to punish for non-attendance as witnesses, or jurors, in the same manner as in civil actions before justices of the peace.

Sec. 8. Right of Appeal.—Either the complainant or other person prosecuting in behalf of the people, or defendant, may appeal to the supreme court at general term, from any judgment of any magistrate rendered under any provision of this Act, by serving upon such magistrate, and the complainant or such other person or the defendant, as the case may be, written notice thereof, specifying the grounds of appeal, within ten days after the rendering of such judgment, the service to be made as now provided in appeals from justice courts in civil actions. The decision of the supreme court shall be final, unless with the decision one of the judges thereof shall file a certificate that a legal question is involved therein, upon which it is proper to take the opinion of the court of appeals, in which case an appeal may be taken upon that question only to the court of appeals. The service of such notice shall be of no effect on behalf of the defendant, unless he shall at the same time deliver to the magistrate an undertaking to the people of the State of New York, in the sum of five hundred dollars, with one or more sureties, to be approved by such magistrate, or county judge, conditioned that, if the judgment be affirmed on such appeal, or upon a subsequent appeal from the decision of the supreme court to the court of appeals, they will pay the amount of the fine and costs contained in such judgment, and that the defendant shall not, during the pendency of said appeal, violate any provision of this Act, and that they will jointly and severally pay all fines, damages, and costs which may be adjudged against him in consequence of any such violation; and in case such defendant shall be required by such judgment to be imprisoned or to stand committed, with the further condition that he will appear in the court of general sessions of said county at the term thereof next after the affirmance of such judgment, and not depart therefrom without leave, and obey the order of such court of general sessions, as to such imprisonment or commitment. Upon the giving of such notice and undertaking, all further proceedings upon such judgment shall be stayed, until such appeal shall have been decided, or dismissed for want of prosecution, as hereinafter provided. No proceeding or judgment had or rendered under any provision of this Act shall be set aside or be void by reason of any technical errors or defects not affecting the merits; but the same may be amend-

ed without notice before or after judgment, or upon appeal or review, or after judgment rendered upon appeal or review, when by such amendment substantial justice will be promoted. Any judgment or verdict rendered under any provision of this Act against evidence may be reversed upon appeal, as in civil actions. All appeals from judgments under this Act shall have the same precedence as other criminal causes, and may be moved out of their order at any time by either party.

SEC. 9. PROCESS AFTER APPEAL.—Whenever any appeal shall be taken according to the provisions of the last section, it shall be the duty of the magistrate, within ten days thereafter, to file a return of the testimony and proceedings had before him upon the trial of such action, together with the notice of appeal and undertaking, if any, and his certificate that the same contains all the testimony and proceedings had before him on such trial, in the office of the county clerk of the county in which the trial was had. After the filing of the papers as aforesaid, the same rules and proceedings shall in all respects govern the appeal to the final determination thereof, and as to amending the returns of said magistrate, as are now provided in civil actions except as hereinbefore modified; provided, nevertheless, if either the complainant or defendant can not be found to be served with notice, as now provided, the same may be served by filing it with the county clerk and attaching thereunto an affidavit containing the reasons for so doing. If the complainant, other than some one of the officers whose duty it is made to enter complaint, shall fail to appear by himself or attorney and defend or prosecute any appeal brought under any provision of this Act, or to apply to the district attorney, as provided in section 5th, he shall be personally liable to the defendant for the costs of said defendant, to be recovered in a civil action. All executions issued upon the final determination of any appeal adversely to the defendant, to collect the judgment thereon, shall be in the name of the people of the State of New York against the property and person. If any execution so issued shall be returned unsatisfied, in whole or in part, any person or persons having any interest in such judgment may maintain an action in the name of the people of the State of New York, upon the undertaking given upon the appeal, and recover therein the amount of his interest in such judgment with costs.

SEC. 10. PROCESS AFTER JUDGMENT.—Whenever any liquor seized under any provision of this Act shall not be adjudged forfeited, the officer having the same in custody shall return it to the place where it was seized; but when it shall be adjudged forfeited, as provided in any section of this Act, or whenever any trial shall have resulted adversely to the defendant, and the time for serving notice of appeal shall have elapsed and no notice and undertaking shall have been served, or the judgment appealed from shall have been finally decided adversely to the defendant, and notice thereof given to the magistrate before whom the trial was had, it shall be the duty of said magistrate forthwith to issue a warrant commanding that the liquor so seized and forfeited be destroyed. And the officer to whom the same shall be delivered shall forthwith proceed, in the presence of one of the complainants, or of some other person to be designated in such warrant, and to be summoned by him, to execute the same, and such person shall join with the officer in making return by affidavit of the time, place, and manner of the execution of such warrant, and upon the receipt of said return, said magistrate shall order execution to issue to said officer, who shall proceed to sell the vessels which contained said liquor, and the proceeds of said sale shall be applied in like manner as provided by this Act in other cases.

SEC. 11. PROCESS AFTER COMPLAINT.—Whenever complaint on oath or affirmation, in writing, which complaint shall state the facts and circumstances upon which his belief is founded, shall be made before any magistrate by any person that he has just cause to suspect and believe, and does believe, that any offense against any provision of this Act has been committed, and that some other person or persons named by him has or have knowledge of the commission of such offense, such magistrate, if he thinks there is probable cause to believe that such offense has been committed, and that such person or persons has or have knowledge of the commission of such offense, shall forthwith issue a summons to the person or persons so named, commanding him or them to appear before him, at a place and time not more than four days thereafter, to be designated in such summons, to testify in relation to such complaint. Such summons may be served in the same or an adjoining county by any officer to whom the same shall be delivered, or by any other person, by stating the contents or delivering a copy thereof to the person or persons named therein, and at the same time showing him or them the original. If the person or persons so summoned shall fail to appear, the magistrate, upon proof of the service of such summons by the return of an officer, or the oath of any other person, shall issue an attachment to compel their attendance for the purpose of giving such testimony, which attachment may be executed in any part of the State. The person so attached may, unless some reasonable cause or excuse be shown by his own oath, or the oath of some other person, be punished by a fine of not less than ten dollars, and in default of payment he may be committed to the same extent as provided in the 4th section.

SEC. 12. DUTY OF PEACE OFFICERS.—It shall be the duty of every sheriff, under sheriff, deputy sheriff, constable, marshal, or policeman to serve all processes to be issued by virtue of this Act, to arrest any person whom he shall see actually engaged in the commission of any offense in violation of the 1st section of this Act, and to seize all liquors kept in violation of said section at the time and place of the commission of such offense, together with the vessels which the same is contained, and forthwith to convey such person before any magistrate of the same city or town to be dealt with according to law, and to store the liquor and vessels so seized in some convenient place, to be disposed of as hereinafter provided. It shall be the duty of every officer by whom any arrest and seizure shall be made under this section to make complaint on oath against the person or persons arrested, and to prosecute such complaint to judgment and execution. It shall be the duty of every such officer whenever he shall see any intoxicated person in any store, hotel, street, alley, highway, or public place, or disturbing the public peace and quiet, to apprehend such person and take him before some magistrate, and if said magistrate shall, after due examination, deem him too much intoxicated to be examined or to answer upon oath correctly, he shall direct said officer to keep him in some jail, lock-up, or other safe and convenient place, to be designated by said magistrate, until he shall become sober, and thereupon forthwith to take him before said magistrate, or, if he can not be found, before some other magistrate; and whenever any person shall appear or be brought before any magistrate, as provided in this or the preceding section, it shall be the duty of such magistrate to administer to such person an oath or affirmation, and to examine him as to the cause of his intoxication and for the purpose of ascertaining whether any offense has been committed against any provision of this Act. If, upon such examination, it shall appear that any such offense has been committed within the jurisdiction of such magistrate, it shall be his duty to issue a warrant for

the arrest of the offender and the search of his premises as hereinbefore provided. If it shall appear that any such offense has been committed at any place beyond the jurisdiction of such magistrate, it shall be his duty to reduce such examination to writing, and forthwith to certify and send the same to any officer or magistrate having jurisdiction of the offense charged, who shall thereupon proceed in relation to such complaint in the same manner as if the same had been made before him. If any such witness shall refuse to be sworn or affirmed, or to answer any question pertinent to such examination or trial, other than such as will criminate himself, he shall be committed to the common jail of such county, there to remain until he shall consent to be sworn or affirmed or to disclose for a term not exceeding ninety days, at the discretion of the court. It shall be unlawful for any person to be or become intoxicated in any store, grocery, tavern, or public place, and for each offense he shall be liable to a fine of ten dollars, to be sued for and recovered in the same manner as fines in the 4th section of this Act, and in default of the payment thereof, he shall stand committed as provided in said 4th section; and it shall be the duty of the magistrate before whom such intoxicated person is arraigned, to examine such person as a witness relative to the cause of his intoxication, to ascertain whether any person has violated the provisions of this Act; but the testimony so given shall not in any case be used against him in any civil or criminal action, except upon an indictment and trial for perjury. All such fines shall be applied to the support of the poor of the city or town where the offense is committed.

Sec. 13. Forfeited Liquors.—All liquors seized under any provisions of this Act, except in cases where the owner thereof shall have been arrested, shall be kept stored for thirty days after service and posting of notices, as required by section 7th, after which time, upon the proof of such service and posting by the return of the officer indorsed upon the warrant of search, or by other evidence to that effect, such liquors, together with the vessels in which the same were contained, shall be adjudged forfeited by the magistrate named in such notice, to whom such proof shall have been made, unless they shall have been claimed as hereinbefore provided. And all liquors and vessels in which they are contained which shall have been found and seized in the possession of any person who shall have been arrested for violating any provision of the 1st section, and not claimed by any other person, shall, upon conviction of such person of such offense, be adjudged forfeited.

Sec. 14. Duty of Supervisor and Superintendents of the Poor.—It shall be the duty of every supervisor and superintendent of the poor, and overseer of the poor, and it shall be the right of every other person, whenever he shall have any knowledge or information that any offense has been committed under any provision of this Act, to make complaint or cause complaint to be made thereof, and to prosecute such complaint in the name of the people. In case any person, other than an officer, shall not make out a *prima facie* case before the magistrate upon the trial of any complaint under the 1st section, and it shall appear to the court that he acted maliciously or in bad faith, or without probable cause for making such complaint, the court shall render judgment against such person, in favor of the defendant for the costs, and issue execution thereon against the property and person in the same manner as in civil actions before justices of the peace. Whenever any fine imposed under any provision of this Act, except when otherwise specially provided, shall be collected, it shall be paid, together with all costs, to the overseers of the poor of the town in which the offense

was committed, for the support of the poor, in cases where such expenses are paid by the town; and where the poor are supported by the county, then to the treasurer of the county.

SEC. 15. MAGISTRATE'S CERTIFICATE.—A certificate under the hand of any magistrate stating any such offense duly proved to be charged against any person, and judgment thereon, shall be evidence in all courts and places of the facts stated therein.

SEC. 16. QUALIFICATIONS OF JURORS.—No person who shall have been convicted of any offense against any provision of this Act, or who shall be engaged in the sale or keeping of intoxicating liquor contrary to the provisions of this Act, shall be competent to act as a juror upon any trial under any provision of this Act; and when information shall be communicated to the court that any person summoned as a juror upon any such trial has been so convicted, or is engaged in such unlawful sale or keeping, or is believed to have been so convicted, or to be so engaged, it shall be the duty of the court to examine such person upon oath in relation thereto; and no answer that he may make shall be used against him in any action or prosecution which may be commenced against him under any provision of this Act, except for perjury on such examination; but he may decline to answer, in which case he shall be discharged as a juryman on such trial. No person shall maintain an action to recover the value or possession of any intoxicating liquor sold or kept by him which shall be purchased, taken, detained, or injured by any other person, unless he shall prove that such liquor was sold according to the provisions of this Act, or was lawfully kept and owned by him.

SEC. 17. PROOF OF SALE.—Upon the trial of any complaint commenced under any provision of this Act, proof of the sale of liquor shall be sufficient to sustain an averment of an unlawful sale, and proof of delivery shall be *prima facie* evidence of sale. No evidence shall be received in justification of such sale under the 2d section, unless the defendant in his plea or answer shall have avowed such sale under said section, and shall have accompanied such plea or answer with an affidavit, or affirmation, that at the time of such sale he verily believed that the liquor sold was intended by the purchaser to be actually used in some other way than as a beverage, and not to be sold, disposed of, or given away, or used on the premises, or that such purchaser was duly authorized to sell liquor as provided by the 2d section of this Act, as the case may be, and also setting forth the circumstances of such sale, and the reasons upon which such belief was founded.

SEC. 18. TRANSPORTATION OF LIQUOR.—No person or corporation shall knowingly carry or transport any liquor within this State, from any place within the United States, and no person shall knowingly deliver any liquor to any other person or to any corporation for the purpose of being so carried or transported, unless the name and place of business or residence of the person to whom the same is to be conveyed, together with the words "intoxicating liquor," are visibly and distinctly marked on the outside package or cask in which the same is contained. But this section shall not apply to the carrying of liquor in quantities of five gallons or less to any place within the county in which the same was sold, or within an adjoining county. Any person or corporation offending against any provision of this section shall be liable to a penalty of fifty dollars, to be sued for and recovered by and in the name of any person who shall first commence an action therefor. No person, for himself or as agent for any company, or corporation, engaged in the carrying either of persons or property, shall act as agent for any person for the purchase of any liquors, other than those authorized by this Act

to sell the same, while engaged in such carrying trade. Whoever shall violate this provision shall be liable to a penalty of one hundred dollars, as herein provided, to be sued for and recovered in the same manner as is provided for violations of section 1st of this Act.

SEC. 19. THE PENITENTIARY OR THE COMMON JAIL.—In any county in which there now is, or hereafter may be a penitentiary, the court before which any conviction is had for an offense against any provision of this Act, may, in its discretion, sentence and commit the person convicted to such penitentiary, instead of the jail of such county, and whenever the punishment under any provision of this Act is imprisonment or commitment, it shall be a commitment to the penitentiary or county jail, without the liberties thereof.

SEC. 20. PENALTY FOR NEGLECT OF DUTY IN PUBLIC OFFICES.—Every public officer who shall neglect or refuse to perform any duty required of him by any section of this Act, shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment; such conviction shall work a forfeiture of office in all cases, except those of judicial officers. Any person who shall directly or indirectly oppose or resist any officer, or any one called by him to his aid in the execution of any duty under this Act, shall be deemed guilty of a misdemeanor, and punished by a fine of not less than two hundred dollars, and by imprisonment not less than six months. The existing provisions of law relative to misdemeanors and offenses shall apply to offenses created by this Act, except where the same are inconsistent therewith.

SEC. 21. FEES AND COSTS.—There shall be allowed and included in every judgment for costs for the following services rendered under the provisions of this Act, the following fees, which shall be audited and paid in the same manner as fees in other criminal cases, and whenever judgments shall be rendered for costs, there shall be included therein fees for such prospective services as shall be necessary to enforce such judgments; and when no fees are herein provided, the same fees as are now provided in criminal cases for similar services. To any magistrate performing the following services: For every warrant or summons of any kind, twenty-five cents. For the trial of any claim, one dollar for each day actually engaged herein. For a certificate of conviction, twenty-five cents. For taking and certifying complaint to another magistrate, fifty cents. Magistrates not authorized by law to receive fees to their own use, shall pay over all fines received by them under the provisions of this Act to the treasurer of the county in which they are received. To any sheriff or other officer performing the following services: For serving summons for witnesses, for each person served, twenty-five cents. For executing any warrant of search, or making any seizure without process, one dollar. For conveying liquor seized to place of storage, fifty cents, besides necessary expenses of labor, cartage, and storage. For executing warrant for destruction of forfeited liquor, besides actual expenses, one dollar. For conveying certified complaint to any magistrate, twenty-five cents. For every mile necessarily traveled more than one, in performing any of the above services, six cents. To the person, other than the complainant summoned to witness the destruction of forfeited liquor, for witnessing such destruction, and joining with the officer in making proof thereof, one dollar. To any supervisor, or superintendent of the poor, or overseer of the poor, two dollars for each day in which he is necessarily and actually engaged in attending to any complaint or prosecution, and six cents for each mile necessarily traveled,

SEC. 22. SALE OF CIDER.—Nothing in this Act shall be construed so as to prevent the sale of cider, in quantities not less than ten gallons. But no cider so sold shall be drunk on the premises of the seller; and any such drinking, or a repurchase by the seller of a portion of the cider sold by him, shall subject him to the penalties provided in section 3d of this Act. Nor shall this Act be construed so as to prevent the manufacturer of alcohol, or of pure wine from grapes grown by him, from keeping or from selling such alcohol or wine, nor the importer of foreign liquors from keeping or selling the same in the original packages, to any person authorized by this Act to sell such liquors. Nor shall any provisions of this Act be construed to prohibit the manufacture or keeping for sale, nor from selling burning fluids of any kind, perfumery, essences, drugs, varnishes, nor any other article which may be composed in part of alcohol, or other spirituous liquors, if not adapted to use as a beverage, nor intended to be used as a beverage, or in evasion of this Act; nor shall it be lawful to seize, sell, or destroy any liquors deposited or found in any bonded warehouse within the limits of this State, nor prevent any liquors imported into the United States from being taken from any such bonded warehouse to any place beyond the limits of this State. The term "intoxicating liquor," and "liquor," as used in this Act, shall be construed to extend to and include alcohol, distilled and malt liquors, and all liquors that can intoxicate, and all drugged liquors, and mixed liquors, part of which is alcohol, distilled, or malt liquor.

SEC. 23. CHARGE TO GRAND JURY.—It shall be the duty of the presiding judge of every court of oyer and terminer, and of every court of sessions, specially to charge every grand jury to inquire into all violations of, or offenses under, this Act.

SEC. 24. REPEAL OF FORMER ACTS.—All acts and parts of acts, and all charters and parts of charters, inconsistent with this Act, are hereby repealed. But no suit commenced, or indictment found, before this Act takes effect, shall in any manner be affected thereby.

SEC. 25. LICENSES ABOLISHED.—No license to sell liquor, except as herein provided, shall hereafter be granted. All liquor kept in violation of any provision or provisions of this Act, shall be deemed and is hereby declared to be a public nuisance.

SEC. 26. WHEN TO TAKE EFFECT.—The 2d section of this Act shall take effect on the first day of May next; section 25th shall take effect immediately, and all other parts thereof on the fourth day of July next.

THE

PROHIBITORY LIQUOR LAW

OF

OHIO.

AN ACT TO PROVIDE AGAINST THE EVILS RESULTING FROM THE SALE OF INTOXICATING LIQUORS IN THE STATE OF OHIO.

SEC. 1. SALE OF LIQUORS.—Be it enacted by the General Assembly of the State of Ohio, that it shall be unlawful for any person or persons, by agent or otherwise, to sell, in any quantity, intoxicating liquors, to be drank in, upon, or about the building or premises where sold, or to sell such intoxicating liquors, to be drank in any adjoining room, building, or premises, or other place of public resort connected with said building.

SEC. 2. SALE TO MINORS.—That it shall be unlawful for any person or persons, by agent or otherwise, to sell intoxicating liquors to minors, unless upon the written order of their parents, guardians, or family physician.

SEC. 3. SALE TO PERSONS INTOXICATED OR TO HABITUAL DRUNKARDS.—That it shall be unlawful for any person or persons, by agent or otherwise, to sell intoxicating liquors to persons intoxicated, or who are in the habit of getting intoxicated.

SEC. 4. PLACES WHERE LIQUOR IS ILLEGALLY SOLD, COMMON NUISANCES.—That all places where intoxicating liquors are sold in violation of this Act, shall be taken, held, and declared to be common nuisances, and all rooms, taverns, eating-houses, bazaars, restaurants, groceries, coffee-houses, cellars, or other places of public resort, where intoxicating liquors are sold in violation of this Act, shall be shut up and abated as public nuisances, upon the conviction of the keeper thereof, who shall be punished as hereinafter provided.

SEC. 5. PERSONS FOUND INTOXICATED.—That it shall be unlawful for any person to get intoxicated, and every person found in a state of intoxication, shall, upon conviction thereof, be fined in the sum of five dollars, and imprisoned in the county jail not more than three, nor less than one day, and pay the costs of prosecution.

SEC. 6. LIQUOR SELLER RESPONSIBLE FOR EFFECTS PRODUCED.—That every person who shall, by the sale of intoxicating liquors, contrary to this Act, cause the intoxication of any other person, such person or persons shall be liable for, and compelled to pay a reasonable compensation to, any person who may take charge of, and provide for such intoxicated person, and one dollar per day in addition thereto, for every day such intoxicated person shall be kept, in consequence of such intoxication, which sums may be recovered in a civil action, before any court having jurisdiction thereof.

SEC. 7. RIGHT OF ACTION IN INJURED PARTIES.—That every wife, child, parent, guardian, employer, or other person, who shall be injured in person or property, or means of support, by any intoxicated person, or in consequence of the intoxication, habitual or otherwise, of any person, such wife, child, parent, guardian, employer, or other person, shall have a right of action in his or her own name, against any person who shall, by selling intoxicating liquors contrary to this Act, have caused the intoxication of such person, for all damages actually sustained, as well as exemplary damages; and a married woman shall have the same right to bring suits, prosecute, and control the same, and the amount recovered, the same as if a femme sole, and all damages recovered by a minor, under this Act, shall be paid, either to such minor, or to his or her parent, guardian, or next friend, as the court shall direct, and all suits for damages under this Act, shall be by a civil action, in any of the courts of this State having jurisdiction thereof.

SEC. 8. FORFEITURES AND IMPRISONMENT.—That for every violation of the provisions of the 1st, 2d, and 3d sections of this Act, every person so offending shall forfeit and pay a fine of not less than twenty, nor more than fifty dollars, and be imprisoned in the jail of the county for not less than ten, nor more than thirty days, and pay the costs of prosecution, and for every violation of the provisions of the 4th section of this Act, every person convicted as the keeper of any of the places therein declared to be nuisances, shall forfeit and pay a fine of not less than fifty, nor more than one hundred dollars, and be imprisoned in the jail of the county for not less than twenty, nor more than fifty days, and pay the costs of prosecution, and such place or places so kept by such person or persons so convicted, shall be shut up and abated, upon the order of the court before whom such conviction may be had, until such time as such person or persons, keeping such place or places, shall give bond and security to the acceptance of said court, in the penal sum of one thousand dollars, payable to the State of Ohio, conditioned that he, she, or they will not sell intoxicating liquors contrary to the laws of this State, and will pay all fines, costs, and damages assessed against such keeper or keepers, for any violation thereof, and in case of a forfeiture of such bond, suit may be brought thereon, for the use of any person interested, or for the use of the county, in case of a fine, or costs due such county; *provided*, that the provisions of the 1st and 4th sections of this Act shall not extend to the sale of the wine manufactured of the pure juice of the grape cultivated in this State, or beer, ale, or cider.

SEC. 9. GIVING AWAY LIQUOR ILLEGAL.—That the giving away of intoxicating liquors, or other shift or device to evade the provisions of this Act, shall be deemed and held to be an unlawful selling within the provisions of this Act.

SEC. 10. PREMISES HELD LIABLE.—That for all fines and costs assessed against any person or persons, for any violation of this Act, the real estate and personal property of such person or persons, of every kind, without exemption, shall be liable for the payment thereof; and all such fines and costs, shall be a lien upon such real estate until paid. And in case any person or persons shall rent or lease any building or premises, and knowingly suffer the same to be used and occupied for the sale of intoxicating liquors, contrary to this Act, such building and premises so leased and occupied shall be held liable for, and may be sold to pay all fines and costs assessed against the person occupying such building or premises, for any violation of this Act; and in case such building or premises belong to any minor, insane person, or idiot, the guardian or guardians of such minor or minors, or insane person, or idiot,

who has control of such building or premises, shall be liable for, and account to such ward or wards, insane person, or idiot, for all damages, in consequence of the use and occupation of such building and premises, and liabilities for such fines and costs, as aforesaid.

SEC. 11. PROSECUTIONS IN THE NAME OF THE STATE.—That all prosecutions under this Act shall be in the name of the State of Ohio, and shall be commenced upon a written complaint under oath or affirmation before any justice of the peace of the county in which said offense was committed, or mayor of any incorporated town, village, or city, or by information, or indictment, as may be provided by law for the prosecution of offenses, the punishment of which is not capital, or imprisonment in the penitentiary; and upon the filing of such complaint with such justice of the peace or mayor as aforesaid, such justice of the peace or mayor shall forthwith issue a warrant directed to the proper officer for the arrest of the person or persons charged with a violation of the provisions of this Act, and such officer shall forthwith arrest the person or persons named in said warrant, and bring him or them before the justice of the peace or mayor issuing said warrant, and upon the return of said warrant served, such justice of the peace or mayor shall proceed to inquire into the truth of such complaint, unless for good cause shown a continuance is granted at the instance of either party; and in case the continuance of said action as aforesaid, the defendant or defendants shall enter into a recognizance to the State of Ohio in such sum as the justice of the peace or mayor may deem reasonable, with security to the acceptance of such justice or mayor, conditioned for the appearance of said defendant or defendants at the time fixed for the hearing of said complaint, and in default of such defendant or defendants giving such recognizance as aforesaid, the defendant or defendants shall be committed to the jail of the county, to be safely kept until the time fixed for the hearing of said complaint; and if the parties so recognized shall not appear at the time set for said trial, the recognizance so given by him or them shall be forfeited by such justice of the peace or mayor, and such officer shall enter such forfeiture upon said recognizance, and also upon his docket, and thereupon such justice or mayor shall forthwith proceed to collect the penalty of said recognizance by instituting an action thereon and proceeding with the same to final judgment; and when the same is collected after paying the costs of such collection such justice or mayor shall pay over the balance to the township, city, or incorporated village treasurer for the support of common schools; and in all cases of prosecution before justices of the peace, or mayors, if such officer finds the complaint to be true, he shall recognize such defendant or defendants to answer said charge, as in other criminal prosecutions of like grades; *provided*, that if such defendant or defendants shall plead guilty, such officer may affix the penalty and proceed to judgment; and in such case, said officer shall immediately issue an execution against the property and body of the defendant, for the fine and costs, unless paid or secured, and said defendant shall not be discharged until said judgment and costs shall be fully paid, or secured to be paid.

SEC. 12. FORM OF COMPLAINT.—The following form of complaint shall be sufficient in criminal proceedings, before justices of the peace, or mayors, under this Act, when applicable, but may be varied to suit the nature of the case, namely:

State of Ohio, County, ss. Before me, A. B. (a justice of the peace for said county, or mayor of, etc., as the case may be), personally came C. D., who being duly sworn according to law, deposeth and saith, that

on, or about the day of , in the year , at the county of , aforesaid, E. F. did sell intoxicating liquors to one G. H., to be drank in the place where sold, (or to G. H., a minor, etc., or a person intoxicated, or in the habit of getting intoxicated, as the case may be, or is the keeper of a room, or tavern, as the case may be, where intoxicating liquors are sold in violation of law), and further saith not.

Signed. C. D.

Sworn to, and subscribed before me, this day of , A.D. . A. B., Justice, or Mayor, etc.

SEC. 13. INTOXICATING LIQUOR THE ONLY NECESSARY DESCRIPTION.—In all prosecutions under this Act, by indictment or otherwise, it shall not be necessary to state the kind of liquor sold, or to describe the place where sold; and for any violation of the 4th section it shall not be necessary to state the name of any person to whom sold; and in all cases, the person or persons to whom intoxicating liquors shall be sold, in violation of this Act, shall be competent, as witnesses, to prove such fact, or any other tending thereto.

SEC. 14. REPEAL OF FORMER ACTS.—That "An Act to Restrain the Sale of Spirituous Liquors," passed March 12, 1851, and "An Act Further Defining the Powers of Trustees of Townships," passed March 12, 1853, be, and the same are hereby repealed; *provided*, that all suits and prosecutions pending under said Acts, or previous violations thereof, shall be prosecuted under said Acts, the same as before the passage of this Act.

F. C. LEBLOND,
Speaker of the House of Representatives.
JAMES MYERS.
President of the Senate.

May 1st, 1854.
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THE

PROHIBITORY LIQUOR LAW

OF

PENNSYLVANIA.

AN ACT TO RESTRAIN THE SALE OF INTOXICATING LIQUORS.

SEC. 1. DRINKING HOUSES.—REPEAL OF FORMER ACTS.—Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, that from and after the first day of October next it shall be unlawful to keep or maintain any house, room, or place where vinous, spirituous, malt, or brewed liquors, or any admixtures thereof are sold or drank, except as hereinafter provided; and all laws or parts of laws inconsistent with the provisions of this Act be, and the same are, hereby repealed.

SEC. 2. SELLING AND KEEPING FOR SALE A MISDEMEANOR. — That if any person or persons within this Commonwealth shall keep for sale and sell, or in connection with any other business or profitable employment, give, receiving therefor any price, profit, or advantage by any measure whatever, and at the same time voluntarily afford a place, or any other convenience or inducement by which the same may be used as a beverage, any vinous, spirituous, malt, or brewed liquor, or any admixture thereof, he, she, or they, and any one aiding, abetting, or assisting therein, shall be deemed guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding fifty dollars, and undergo imprisonment not exceeding one month; and for a second or any subsequent offense, shall pay a fine not exceeding one hundred dollars, and undergo imprisonment not exceeding three months.

SEC. 3. LANDLORD AND TENANT: WHEN BOTH ARE LIABLE —That if two or more persons conspire or act together by which one may sell and the other provide a place or other convenience for drinking, with intent to evade the provisions of this Act, each one so offending, upon conviction, shall be punished as provided in the 2d section of this Act.

SEC. 4. AUTHORIZED SALE OF LIQUORS BY CITIZENS.—That it shall be unlawful for any person to sell or keep for sale any vinous, spirituous, malt, or brewed liquors, or any admixture thereof, in cases not hereinbefore prohibited, in a less quantity than one quart, nor without license granted by the court of quarter sessions of the proper county on petition presented for that purpose, to be advertised according to the 1st section of the Act of the twenty-ninth March, one thousand eight hundred and forty-one, supplementary to the various Acts relating to tavern licenses; but no such license shall be granted to other than citizens of the United States of temperate habits and good repute for honesty; *provided*, that no certificate

shall be required or published as mentioned in the Act herein referred to; *provided*, that no license for the sale of liquors, as aforesaid, shall be granted to the keeper of any hotel, inn, tavern, restaurant, eating-house, oyster-house, or cellar, theater, or other places of entertainment, amusement, or refreshment; *provided* further, that so much of any Act or Acts of Assembly as requires a license from a city or county treasurer to authorize the sale of spirituous, vinous, or malt liquors, be, and the same is, hereby repealed.

Sec. 5. Licenses to Sell.—That the said court, by their rule, shall fix a time at which applications for said licenses shall be heard, at which time all persons making objections shall be heard.

Sec. 6. Bond for Authorized Sellers.—That it shall not be lawful for the clerk of said court to issue any license as aforesaid until the applicant shall have filed the bond hereinafter required and the certificate of the city receiver or county treasurer that the license fee has been paid to him.

Sec. 7. Appraisers of Licenses.—That the appraisers of licenses under this Act shall be appointed as provided by existing laws, except in the city of Philadelphia, where, on the passage of this Act and thereafter, at the beginning of every year, three reputable and temperate persons shall be appointed by the court of quarter sessions to appraise dealers in spirituous, vinous, malt, or brewed liquors aforesaid, and of distillers and brewers, and to do and perform all duties now enjoined by law not inconsistent herewith, and said appraisers shall be citizens of the United States, in no manner connected with or interested in the liquor business, and shall be compensated as now provided by law.

Sec. 8. Cost of Licenses.—That no license shall be granted without the payment to the receiver of taxes in the city of Philadelphia, or to the treasurers of the other counties of the State, for the use of the Commonwealth, three times the amount now fixed by law to be paid by venders of spirituous, vinous, or malt liquors, or brewers and distillers; *provided*, that no license shall be granted for a less sum than thirty dollars.

Sec. 9. Amount of Bond.—That the bond required to be taken of all persons who shall receive a license to sell spirituous, vinous, malt, or brewed liquors, or any admixture thereof, shall be in one thousand dollars, conditioned for the faithful observance of all the laws of this Commonwealth relating to the business of vending such liquors, with two sufficient sureties, and warrant of attorney to confess judgment, which bond shall be approved by one of the judges of the court of quarter sessions of the peace of the proper county, and to be filed in said court; and whenever a judgment for any forfeiture or fine shall have been recovered against the principal therein, it shall be lawful for the district attorney of the proper county to enter judgment against the obligors in the said bond, and proceed to collect the same of the said principal or sureties.

Sec. 10. Exhibition of License.—That every person licensed to sell spirituous, vinous, or malt liquors, as aforesaid, shall frame his license under glass, and place the same so that it may at all times be conspicuous in his chief place of making sales, and no license shall authorize sales by any person who shall neglect this requirement, nor shall any license authorize the sale of any spirituous, vinous, or malt liquors on Sunday.

Sec. 11. Illegal Sale of Liquors.—That any sale made of any spirituous, vinous, or malt liquor contrary to this Act shall be taken to be a misdemeanor, and upon conviction of the offense in the court of quarter sessions of the proper county, shall be punished in the manner prescribed by the 2d section of this Act.

SEC. 12. IMPORTERS AND AUCTIONEERS.—That the provisions of this Act as to appraisement and license shall not extend to importers who shall vend or dispose of said liquors in the original cases or packages as imported, nor to duly commissioned auctioneers selling at public vendue or outcry, nor to domestic producers, brewers, or distillers selling in quantities of not less than five gallons, nor shall any thing herein contained prohibit the sale by druggists of any admixture of intoxicating liquors as medicine.

SEC. 13. DUTIES OF CONSTABLES.—That it shall be the duty of every constable of every town, borough, township, or ward within this Commonwealth, at every term of the court of quarter sessions of each respective county to make return, on oath or affirmation, whether, within his knowledge, there is any place within his bailiwick kept and maintained in violation of this Act; and it shall be the especial duty of the judges of said courts to see that this return is faithfully made; and if any person shall make known to such constable the name or names of any one who shall have violated this Act, with the name of witness who can prove the fact, it shall be his duty to make return thereof, on oath or affirmation, to the court, and upon his willful failure so to do, he shall be deemed guilty of a misdemeanor, and upon indictment and conviction shall be sentenced to imprisonment in the jail of the county for a period not less than one nor more than three months, and pay a fine not exceeding fifty dollars.

SEC. 14. LICENSES ALREADY GRANTED.—That this Act shall not interfere with any persons holding a license heretofore granted until the time for which the same was granted shall have expired; nor shall any license which may be granted before the first day of July next authorize the sale of said liquors, or admixtures thereof, after the first day of October next contrary to the provisions of this Act.

HENRY K. STRONG,
Speaker of the House of Representatives.
WILLIAM M. HEISTER,
Speaker of the Senate.

Approved on the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLACK.

HARRISBURG, May 10th, A.D. 1855,
Office of the Secretary of the Commonwealth.

Pennsylvania, ss.

I do hereby certify that the foregoing and annexed is a full, true, and correct copy of the original Act of the General Asssembly as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand, and caused the seal of the secretary's office to be affixed, the day and year above written.

[L. S.] JOHN M. SULLIVAN,
Deputy Secretary of the Commonwealth.

THE

PROHIBITORY LIQUOR LAW

OF

RHODE ISLAND.

AN ACT FOR THE MORE EFFECTUAL SUPPRESSION OF DRINKING HOUSES AND TIPPLING SHOPS.

It is enacted by the General Assembly as follows:

SEC. 1. MANUFACTURE AND SALE.—No person shall be allowed, at any time, to manufacture or sell, or suffer to be manufactured or sold by any person, or keep, or suffer to be kept on his premises or possessions, or under his charge, for the purposes of sale, any ale, wine, rum, or other strong or malt liquors, or any mixed liquors, a part of which is ale, wine, rum, or other strong or malt liquors, except as hereinafter provided.

SEC. 2. TOWN AND CITY AGENCY.—The town council of any town may, and the mayor and aldermen of any city shall, annually on the Monday next following the annual election of town officers in any town, or as soon thereafter as may be convenient, appoint some suitable person or persons as the agent or agents of said town, to sell at some central or convenient place within said town, ale, wine, rum, or other strong or malt liquors, to be used for medicinal and mechanical purposes only; and said agent shall receive such compensation for his services, and shall in the sale of such liquors, conform to such rules and regulations, as the town council as aforesaid shall prescribe. Any such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the board from which he received his appointment, as he may be at any time, at the pleasure of said board; and in case of a vacancy in said appointment, by such removal or otherwise, said board may appoint some other person to such agency for the remainder of the year.

SEC. 3. SURETIES OF AGENT.—Every such agent shall receive a certificate from the board by whom he has been appointed, authorizing him, as the agent of such town, to sell ale, wine, rum, or other strong or malt liquors, for medicinal and mechanical purposes only; but such certificate shall not be delivered to the person so appointed until he shall have executed and delivered to said board a bond with good and sufficient sureties, in the sum of six hundred dollars, in substance as follows:

Know all men, that we as principal, and as sureties, are holden and stand firmly bound to the town of (or city of) (as the case may be), in the sum of six hundred dollars, to be paid said town; to which payment we bind ourselves, our heirs, executors, and admin-

istrators, firmly by these presents. Sealed with our seals, and dated this day of A.D. The condition of this obligation is such, that whereas the above bounden has been duly appointed an agent for the town (or city) of to sell within and for and on account of said town (or city), ale, wine, rum, or other strong or malt liquors, for medicinal and mechanical purposes only, until the day of A.D. , unless sooner removed from said agency. Now if the said shall in all respects, conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations, as now are, or shall be, from time to time established, by the board making the appointment, then this obligation shall be void, otherwise it shall remain in full force.

Sec. 4. Penalties for Selling.—If any person shall at any time sell, or suffer to be sold by any person, any ale, wine, rum, or other strong or malt liquors, or any mixed liquors, as aforesaid, in violation of the provisions of this Act, he shall be sentenced on the first conviction to pay the sum of twenty dollars and all costs of prosecution and conviction, and to be imprisoned in the county jail for ten days, and on the second conviction he shall be sentenced to pay the sum of twenty dollars and all costs of prosecution and conviction, and be imprisoned in the county jail three calendar months; and on the third and every subsequent conviction he shall be sentenced to pay the sum of twenty dollars and all costs of prosecution and conviction, and be imprisoned in the county jail not less than three nor more than six calendar months, and in each case to stand committed until sentence be performed in all its parts. And if any person shall keep or suffer to be kept on his premises or possessions, or under his charge, for the purposes of sale, in violation of the provisions of this Act, any ale, wine, rum, or other strong or malt liquors, or any mixed liquors, as aforesaid, he shall, on conviction thereof, be sentenced to pay the sum of twenty dollars and all costs of prosecution and conviction, or to be imprisoned in the county jail for thirty days. And all such liquors so kept by any person for the purposes of sale in violation of the provisions of this Act, shall be liable to be seized, together with the casks, or other vessels containing them, and adjudged forfeited, upon complaint made, and trial had, as hereinafter provided.

Sec. 5. Distribution of Fines.—All prosecutions for offenses under the 4th section of this Act, shall be, by complaint and warrant in the name of the State, before any justice of the peace, or any court exercising the jurisdiction of a justice of the peace, in the town where the offense was committed: one half of said fine to and for the use of the complainant, and the other half thereof to and for the use of the State; and the prosecutor and complainant, by waving in favor of the State his portion of the fine, may be admitted as a witness in the trial; and no judgment rendered upon a subsequent complaint for the same offense shall be a bar, or prevent judgment upon the merits being rendered on any prior complaint, and the pendency of the former complaint may be pleaded in bar of the second complaint.

Sec. 6. Right of Appeal.—Any person convicted before a justice of the peace, or a court exercising the jurisdiction of a justice of the peace, of any offense under the 4th section of this Act, may appeal from the sentence of the justice or court, to the court of common pleas, next to be holden in the same county, after ten days; *provided*, such appeal be prayed at the time of passing sentence; and upon such prayer the appellant shall be required to give recognizance, in the sum of one hundred dollars, with good and sufficient sureties, in every case so appealed, conditioned, that he will file his

reasons of appeal, together with a copy of the whole case in the court appealed to, on or before the second day of the term thereof, as aforesaid, that he will appear before said court, and there prosecute his appeal with effect, and abide or perform the order or sentence of said court, in said case, and that he will not, during the pendency of such appeal violate any of the provisions of this Act, which recognizance such justice or court shall forthwith certify to said court of common pleas; and upon the neglect of said appellant, to give such recognizance, he shall forthwith be committed to the jail in the same county, there to remain until he give such recognizance, or be discharged by order of law. And the said appeal shall be in said court of common pleas heard and tried, and the judgment or sentence therein shall be final.

Sec. 7. Breach of Conditions by Agent.—The town council of any town, whenever complaint shall be made to them in writing, that a breach of the conditions of the bond given by any agent appointed by them has been committed, shall notify the person complained of, and if upon a hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment; and the town treasurer shall, at the expense and for the use of said town, cause the bond to be put in suit, in any court of competent jurisdiction, unless otherwise directed by the town council.

Sec. 8. Penalties for Manufacturing and Common Selling.—No person shall be allowed to manufacture any ale, wine, rum, or other strong or malt liquors, or to be a common seller thereof, without being duly appointed as aforesaid, on pain of forfeiting on the first conviction, the sum of one hundred dollars and costs of prosecution, and in default of the payment thereof, the person so convicted shall be imprisoned sixty days in the county jail of the same county in which the offense was committed; and on the second and on every subsequent conviction, the person so convicted shall forfeit and pay the sum of two hundred dollars and costs of prosecution and conviction, and shall be imprisoned four months in said county jail; said penalties to be recovered before any court of competent jurisdiction, by indictment in the county where incurred, one half of said forfeiture to and for the use of the town in which the offense shall have been committed, and the other half thereof to and for the use of the State. And three several sales of ale, wine, rum, or other strong or malt liquors, or mixed liquors, as aforesaid, either to different persons or the same person, shall be sufficient to constitute one a common seller within the meaning of this Act. But nothing in this Act contained shall be construed to prohibit the manufacture of cider, or the sale thereof in quantities not less than one gallon, or the manufacture of wine or malt liquors for domestic use, or of alcohol for exportation, or to be sold to or through, and only to or through the agents appointed under the 2d section of this Act.

Sec. 9. Search and Seizure —Any justice of the peace, within the town in which he resides, and any court exercising the jurisdiction of a justice of the peace, within the town in which such court is established, may issue a search warrant for the purpose of searching for any ale, wine, rum, or other strong or malt liquors, or any mixed liquors, as aforesaid, held for sale contrary to law, such warrant to be served during the daytime, complaint being first made in writing, on oath, as is required before issuing of search warrants in other cases, which complaint shall be made by three legal voters and distinctly set forth that the liquors described in the warrant are believed to be held for sale contrary to the provisions of this Act, in some house or place within the town in which the complaint is made, or in some

vessel or craft in any of the waters of Narragansett Bay; and all such liquors, together with the casks or other vessels in which the same are contained, and which shall be found by any officer in executing any such search warrant, shall be safely kept so long as shall be necessary for the purposes of evidence in any case arising under this Act; and upon final conviction of the person or persons in whose possession the said liquors and the vessels containing them shall be by the justice or court adjudged forfeited, the said liquors be ordered to be destroyed, and the said casks or other vessels to be delivered to the sheriff of the county, or his deputy, and the officer to whom such casks shall be delivered as aforesaid, shall advertise and sell the same, in the same manner in which like personal property is liable to be sold on execution, and the proceeds of such sale after deducting therefrom his lawful fees and charges, he shall pay over to the justice or clerk of the court, to and for the use of the State. But in the event of the acquittal of the person charged with the unlawful keeping or possessing of the liquors so seized, the same together with the vessels containing them, shall be returned to the place from which they were taken, by the officer in whose custody they may be; *provided* that no warrant to search for liquors shall issue, until a warrant shall have been issued for the supposed owner thereof, or the person having said liquors in charge, on complaint for keeping, or suffering to be kept on his premises or possessions, or under his charge, liquors of the kind aforesaid, contrary to the provisions of this Act. And any person convicted upon any such complaint may appeal from the sentence, judgment, and order of the justice or court thereon, to the court of common pleas next to be holden in the same county after ten days; in the same manner, and upon the same terms and conditions, and with the like effect, as prescribed in section 6th of this Act. *Provided however*, that any appeal from any sentence, judgment, and order of the court of magistrates of the city of Providence, prior to the 15th day of March, 1853, shall be to the supreme court at its March term, 1853, in the county of Providence, wherein such appeals shall be heard and tried, and the decision therein shall be final. And the recognizance required on such appeals shall be varied by the said court of magistrates conformably with this proviso. And in case of such appeal, if the final decision shall be against the appellant, sentence shall be passed by said appellate court, and such liquors seized be adjudged forfeited and ordered to be destroyed as herein provided; and all reasonable charges incidental to the keeping and storage of such liquors, from and after the date of its seizure, shall be taxed in the costs against the defendant. But nothing in this Act contained shall be construed to prevent any person from keeping on his premises or possessions, any liquors which are of foreign production, and which have been imported under the laws of the United States and in accordance therewith, and which are contained in the original packages in which they were imported, but the custom-house certificates of importation and proof of marks on the casks or packages corresponding thereto, shall not be received by any court in this State as conclusive evidence that the liquors contained in those packages are those actually imported therein.

Sec. 10. Duties of Peace Officers.—It shall be the duty of any mayor, alderman, city marshal, city or town sergeant, constable or police officer, of any city or town, if he shall have information that any ale, wine, rum, or other strong or malt liquors, or any mixed liquors as aforesaid, are kept for sale, or sold in any tent, shanty, hut, or place of any kind for selling refreshments in any public place, on or near the ground of any cattle show, agricultural exhibition, military muster, or public occasion of any kind, to search such suspected place, and if such officer shall find upon the premises

any ale, wine, rum, or other strong or malt liquors, or any mixed liquors, as aforesaid, he shall seize them and apprehend the keeper or keepers of such place, and take them with the liquors and the vessels containing them, so found and seized, forthwith as soon as may be convenient, before some justice of the peace, or court exercising the jurisdiction of a justice of the peace, of the town where found, and thereupon such officer shall make a written complaint under oath, and subscribed by him, to such justice or court, that ale, wine, rum, or other strong or malt liquors, or mixed liquors, a part of which is ale, wine, rum, or other strong or malt liquors, was found in the possession of such keeper or keepers, in a tent, shanty, hut, or place for selling refreshments, and upon proof that said liquors are either ale, wine, rum, or other strong or malt liquors, or mixed liquors, as aforesaid, that they were found in the possession of the accused, in a tent, shanty, or other place as aforesaid, for sale, he or they shall be sentenced to imprisonment in the county jail of the same county for twenty days, and the liquor and vessels so seized shall be dealt with, by order of such justice or court, as provided in the 9th section of this Act. But from the sentence and order of said justice or court as aforesaid, the defendant may appeal to the court of common pleas next to be holden in the same county after ten days; in the same manner, and upon the same terms and conditions, and with the like effect, as prescribed in section 6th of this Act. And in case of such appeal, if the final decision shall be against the appellant, sentence as aforesaid shall be passed upon him by the appellate court, and the liquor and vessels seized as aforesaid, shall be dealt with as aforesaid.

Sec. 11. Process after Appeal.—In all cases of appeal under this Act, in which the appellant shall fail to enter and prosecute his appeal in the appellate court according to law, said court in addition to defaulting his recognizance, shall order all liquors and vessels in the custody of the officer, under the provisions of the 9th section of this Act, to be dealt with as in that section provided; and whenever a default shall be had of any recognizance taken in pursuance of this Act, suit shall be forthwith commenced in a court having competent jurisdiction.

Sec. 12. Process after Conviction.—Whenever a justice of the peace or any court exercising the jurisdiction of a justice of the peace, shall convict any person of a violation of the provisions of this Act, and the person convicted shall claim an appeal, it shall be the duty of such justice or court, upon motion of the complainant or the defendant, to require any witness sworn, to enter into recognizance in the sum of fifty dollars, conditioned that he will appear at the appellate court to testify in the trial whenever such appeal shall be called for trial.

Sec. 13. Complainants not Liable for Costs.—No person or persons, who shall make any complaint for the violation of any of the provisions of this Act, except the provisions of the 4th section thereof, shall be required, at the time of making such complaint, to enter into recognizance, or in any way to become liable for the costs that may accrue thereon Complainants appointed by the town where the offense is committed, and the complaint made, the city marshal, city sergeant, and city watchmen of the city of Providence, the sheriffs and deputy sheriffs of the several counties, and the town sergeants and constables of any town, and such persons as shall wave in writing, on the complaint, at the time of making the same, in favor of the State, the complainant's portion of the penalty, shall not be required, upon making any complaint for the violation of any of the provisions of the 4th section of this Act, to enter into recognizance or give surety. All other persons upon making any complaint for a violation of any of

the provisions of the 4th section of this Act, shall enter into recognizance with surety in manner and with like conditions, as is required by the 135th section of the Act entitled "An Act Concerning Crimes and Punishments."

SEC. 14. NOT NECESSARY TO SPECIFY THE KIND OF LIQUOR.—In any action, complaint and warrant, indictment or other proceedings, against any person for a violation of any of the provisions of this Act, it shall not be necessary to set forth the kind or quantity of ale, wine, rum, or other strong or malt liquors, or mixed liquors, as aforesaid, or the time of the sale or manufacture thereof; but proof of the violation of any of the provisions of this Act, the substance of which is briefly set forth therein, within the times mentioned therein, by the person complained of, shall be sufficient to convict such person; nor shall it be requisite in any such action, complaint and warrant, indictment or other proceeding, to set forth a record of a former conviction, or any allegation of any such conviction, but any such conviction, may be proved, in the same manner, and with the same effect as if an allegation thereof had been made; nor shall it be necessary to particularly describe the packages or kinds of liquor to be searched for. And any defects in any such complaint and warrant, indictment, or other proceeding, either of form or substance, may be amended either by the justice, or court exercising the jurisdiction of a justice or other court before whom the action, complaint and warrant, indictment or other proceeding, is originally brought. All cases of appeal under this Act from the judgment or sentence of a justice of the peace, or court exercising the jurisdiction of a justice of the peace, shall in the appellate court be conducted and argued by the attorney-general in behalf of the State; and in every case in such court in which the appellant shall be required to pay the costs, the sum of six dollars shall be taxed in the bill for the services of the attorney-general, for which sum, the clerk of said court or other officer to whom such costs may be paid, shall account with the general treasurer; and no costs in any such case shall be remitted or reduced.

SEC. 15. JURISDICTION OF JUSTICES OF THE PEACE.—Any justice of the peace within the town in which he resides, and any court exercising the jurisdiction of a justice of the peace, within the town in which such court is established, shall have jurisdiction and cognizance of all offenses done or committed in the town in which the justice trying the cause shall reside, in violation of any of the provisions of the 4th, 9th, and 10th sections of this Act, with power to proceed to trial, render judgment, pass sentence, and award a warrant for execution thereof; and complaints for the violation of any of the provisions of the Act, may be made to either of the justices of any court exercising the jurisdiction of a justice of the peace, and the warrants issued thereon may be signed by either of the justices thereof. And whenever a court exercising the jurisdiction of a justice of the peace, is or shall be established in any town, such court shall have exclusively, in such town, the jurisdiction, cognizance, and powers conferred by this Act. And any violation of any of the provisions of the 8th section of this Act, upon any of the waters of Narragansett Bay, or other public waters of this State may be prosecuted, by indictment, in any county in this State; and any violation of any other of the provisions of this Act, upon any of the waters of Narragansett Bay, or other public waters of this State, may be prosecuted by complaint and warrant, before any justice of the peace of any town, or any court exercising the jurisdiction of a justice of the peace, in any town in this State.

SEC. 16. FEES AND OTHER COSTS.—In addition to the fees now allowed by law, the justice of the peace, or court exercising the jurisdiction of a

justice of the peace, shall be entitled to receive for taking any bond under this Act, the sum of fifty cents; and the officer who shall make service of any warrant or process for the seizure of any liquors under the 9th or 10th sections of this Act, shall be allowed for the same the sum of one dollar; for the removing of any liquors so seized, to a place of safety, all expenses by him incurred in the removal, care, and custody of said liquors, the sum of one dollar, said fees to be included in the bill of costs and taxed by the justice or court against the defendant.

SEC. 17. PAYMENTS FOR LIQUORS SOLD IN VIOLATION OF LAW.—All payments or compensations for liquors sold in violation of law, whether in money, labor, or personal property, shall be held and considered, as between the parties to such sale, to have been received in violation of law, without consideration, and against law, equity, and good conscience; and in any action either at law or equity touching such money, labor, or personal estate, the purchaser, and also the seller of such liquors, may be a witness for either party. And no action of any kind shall be had or maintained in any court in this State, for the recovery or possession of intoxicating liquors, or the value thereof, except such as are sold, purchased, or held in accordance with the provisions of this Act.

SEC. 18. NOT TO AFFECT PENDING PROSECUTIONS.—Nothing herein contained shall be construed to affect any prosecutions commenced or proceedings pending on the 18th day of July, 1852, for the violation of any of the provisions of an Act entitled "An Act enabling Town Councils to Grant Licenses for Retailing Strong Liquors, and for Other Purposes," passed at the January session, A.D., 1844, or of any Act or Acts in amendment of or in addition to the same, or to affect any prosecutions commenced or proceedings pending, or which may hereafter be commenced before this Act shall go into effect, for the violation of "An Act for the Suppression of Drinking Houses and Tippling Shops," passed at the May session, A.D., 1852, or of any Act or Acts in amendment of or in addition to the same; or in any way to affect any right, title, interest, duty, obligation, penalty, forfeiture, claim, or demand, which shall have vested, accrued, or become forfeited by virtue of the Acts aforesaid, but said prosecutions may be commenced, proceeded with, tried, determined, and sentence thereon passed and executed, in the same manner and with the same effect, as if this Act had not been passed. And any and all appointments of agents for sale, and of complainants, made by any town council, or board of aldermen, or by any town, and all bonds, obligations, or engagements, given, assumed, or taken under the provisions of the said Act of May, 1852, shall be deemed as valid and effectual to all intents, as if made, given, assumed, or taken, after this Act shall have taken effect, and in virtue of this Act.

SEC. 19. TO BE CONFIRMED BY LEGAL VOTERS.—The legal voters in the several towns may, at the annual election in April next, vote upon the question of repealing this Act. And the secretary of state is hereby directed to furnish printed ballots to the town clerks of each town equal to six times the number of persons who voted in such town at the last election, upon one side of which ballots shall be printed the question—"Shall the Act for the more Effectual Suppression of Drinking Houses and Tippling Shops be repealed," and on the reverse, upon one half of said ballots the word "Yes," and upon one half the word "No." And any voter wishing to vote upon said question, shall inclose one of such ballots in the envelope containing his ballot for general officers, or in case he does not vote for general officers, then in one of the envelopes provided by law for that purpose. Said ballots shall be sealed up and deposited with the secretary of state, and be

counted by the General Assembly at the next May session, and in the event of a majority of such ballots being cast in favor of the repeal of this Act, the same shall be limited in its operations, and have no effect after the tenth day from and after the rising of the General Assembly at said May session. *Provided*, however, that in case the vote of the people shall be for repeal, such repeal shall not in any way affect any prosecutions commenced, or proceedings pending, under this Act, on or before the day of its repeal.

SEC. 20. REPEAL OF FORMER ACTS.—All acts and parts of acts in any way inconsistent with the provisions of this Act, are hereby repealed.

Approved January, 1853.

THE

PROHIBITORY LIQUOR LAW

OF

VERMONT.

AN ACT TO PREVENT TRAFFIC IN INTOXICATING LIQUORS FOR THE PURPOSE OF DRINKING.

It is hereby enacted by the General Assembly of the State of Vermont, as follows:

SEC. 1. MANUFACTURE AND SALE OF LIQUORS.—No person shall be allowed at any time or place within this State, except as hereinafter provided, to manufacture, sell, furnish, or give away, by himself, his clerk, or servant, or agent, any spirituous or intoxicating liquor, or mixed liquor, of which a part is spirituous or intoxicating, all which is intended by the phrase intoxicating liquor wherever it occurs in this Act; *provided*, that nothing in this Act shall be construed to prevent the manufacture, sale, and use of the fruit of the vine for the commemoration of the Lord's Supper.

SEC. 2. COUNTY COMMISSIONER.—There shall be chosen by ballot at each annual March meeting in this State, by the legal voters in such meeting, a county commissioner for each county — each to be chosen by the legal voters of the several towns in their respective counties—a notice of which election shall be by the selectmen inserted in the warning for town meetings, and a certificate of the votes given for such commissioner shall be forwarded by the town clerks of the several towns to the clerk of the county in which such towns are situated on or before the second Tuesday in April next after such election; and the clerk aforesaid shall, on the second Tuesday in April, canvass the votes so returned, and the person having the greatest number of votes so returned shall be declared elected commissioner, and the clerk aforesaid shall issue to the person so elected a proper certificate of his election, and make suitable proclamation of such election in one or more newspapers printed in such county, or if there be no such paper printed in such county, then in one or more papers printed in an adjoining county. And such commissioners shall hold their respective offices for the term of one year, and until others are chosen in their stead, and shall have full power to perform all the duties required of them by this Act, and shall receive as compensation for services rendered as required by this Act six cents per mile for all necessary travel, and two dollars per day for time actually spent in the performance of duties herein required, to be paid from the treasuries of the respective counties.

SEC. 3. APPOINTMENT OF TOWN AGENTS.—The commissioner of any county, on the first Monday in May, annually, or as soon after as may be

convenient, may appoint some suitable person as the agent of any town or city in the county, to purchase at the expense of the town or city for which such agent is appointed, and to sell at some central or convenient place therein, intoxicating liquor, to be used for medicinal, chemical, and mechanical purposes only; and the money received for such sales shall be paid into the treasuries of their respective towns or cities; and such agent shall receive such compensation for his services as the selectmen of the town, or mayor and aldermen of the city, shall prescribe; and shall, in the sale of such liquor, conform to such rules and regulations as said commissioner shall prescribe; and shall hold his situation for one year, unless sooner removed by said commissioner or his successor in office. And in case such appointment becomes vacant by removal or otherwise, said commissioner may appoint some other person to the situation for the remainder of the year; *provided*, that no innkeeper, or keeper of a house of public entertainment, shall be appointed such agent in any town or city in the State.

Sec. 4. Agent to Execute a Bond.—Such agent shall receive a certificate from the commissioner appointing him, authorizing him, as the agent of the town, to sell intoxicating liquor for medicinal, chemical, and mechanical purposes only; but such certificate shall not be delivered unto him or take effect until he shall, if required by the commissioner, have executed and delivered a bond, with two good and sufficient sureties, to said commissioner in the sum of six hundred dollars, in substance as follows:

Know all men that we , as principal, and , as sureties, are holden to the county of in the sum of six hundred dollars, for the payment of which to said county we bind ourselves, our heirs, executors, and administrators firmly by these presents.

Witness our own hands and seals hereto affixed, this day of A.D. .

Provided, that if the said shall, so long as he is agent of the town of for selling intoxicating liquor, conform to the provisions of the law relating to the traffic in such liquor, and to such rules and regulations respecting the same as have been or may be prescribed by the commissioner of said county not inconsistent with the provisions of this Act, then this obligation shall be void; otherwise, of force.

Sec. 5. Penalties for Selling, etc.—If any person, by himself, clerk, servant, or agent, shall sell, furnish, or give away any intoxicating liquor in violation of this Act, he shall forfeit and pay to the treasurer of the town where such offense is committed, upon the first conviction, ten dollars and costs of prosecution; on the second conviction, he shall forfeit and pay, as aforesaid, twenty dollars and the costs of prosecution; and on the third conviction, he shall forfeit and pay, as aforesaid, twenty dollars and the costs, and be imprisoned in the county jail not less than three months, nor more than six months.

Sec. 6. Jurisdiction of Justices.—Justices of the peace shall have concurrent jurisdiction in their several counties with the county court to hear and determine all offenses against the above section though inhabitants of the town where the offense is committed; and the same may be tried upon the complaint of the grand juror of such town, or of the State's attorney, before any justice, or upon the information of the State's attorney, before the county court for such county. And such forfeiture may also be recovered in an action of debt in the name of such town; and it shall be the duty of the selectmen of such town to institute such action on being informed of any such offense and furnished with evidence thereof.

SEC. 7. NO APPEAL ALLOWED WITHOUT SECURITIES.—No person shall be allowed an appeal from the judgment rendered against him by any justice on the trial of such action or complaint until he recognize, with good and sufficient sureties, in the sum of not less than one hundred dollars, to prosecute his appeal to effect, and to pay all costs, fines, and forfeitures, and undergo all penalties that may be awarded against him upon the final disposition of such action or complaint; nor until he give a bond, with other good and sufficient sureties, to the town or city where such offense was committed, in the sum of two hundred dollars, conditioned that he will not, during the pendency of such appeal, violate any of the provisions of this Act.

SEC. 8. COMMISSIONER'S POWER TO PROSECUTE AGENTS.—Whenever complaint shall be made to the commissioner of any county that any agent appointed by him or his predecessor under this Act has violated the terms of his license, or has broken the condition of his bond, he shall notify him thereof; and if, on hearing it, it shall appear that such terms have been violated, or that such condition has been broken, he shall revoke and make void his appointment. And whenever any breach of the condition of such bond shall come to the knowledge of such commissioner he shall cause the same to be prosecuted.

SEC. 9. MANUFACTURER AND COMMON SELLER.—CIDER, ETC.—No person shall be a manufacturer or common seller of intoxicating liquor within this State without being appointed agent as hereinbefore provided; and every person convicted thereof, the first time, shall forfeit and pay the sum of one hundred dollars and costs of prosecution; the second, and every subsequent time, two hundred dollars; and on being convicted thereof the third, or any subsequent time, he shall be imprisoned in the county jail not less than four nor more than twelve months; such forfeiture and payment to be recovered, and such penalty to be inflicted, upon complaint, information, or indictment; but if not so prosecuted within one year after the offense is committed, such forfeiture and payment may be recovered by an action of debt in the name, and for the benefit of, the town or city where the offense was committed; and it shall be the duty of the selectmen of such town, or the mayor or aldermen of any city, to commence such action upon being informed of any such offense and furnished with the evidence thereof; *provided*, that nothing in this Act contained shall be construed to prevent the manufacture and sale of cider in quantities of not less than five gallons for medicinal, chemical, mechanical, and culinary purposes only, nor the manufacture by any one, for his own consumption and use, of any fermented liquor.

SEC. 10. LIQUOR SELLERS INCOMPETENT FOR JURORS.—No person engaged in unlawful traffic in intoxicating liquor shall be competent to sit on any jury in any case arising under this Act; and when information shall be communicated to the court that any member empannelled upon such jury is believed to be engaged in such traffic, the court shall inquire of him as to the truth thereof; and no answer that he shall make shall be used against him in any case arising under this Act; but he may decline to answer, and in that case he shall be discharged from such panel; and if he answer falsely, he shall be incapable of serving upon any jury thereafter; *provided*, that no verdict against any respondent in such a case shall be vitiated or impeached in consequence of such a person having been upon the jury by which it was rendered.

SEC. 11. CASES TO TAKE PRECEDENCE IN COURT.—All cases arising under this Act shall take precedence of all other trials in the court in

which they are pending, except those in criminal cases where the respondents are under arrest; and neither the court nor prosecuting officer shall have authority to enter a *nolle prosequi*, or to grant a continuance, in any case arising under this Act, either before or after the verdict, except where the purposes of justice require it.

SEC. 12. PROVISIONS FOR SEARCH AND SEIZURE OF LIQUORS.—If any three persons, voters in any town, shall make complaint, under oath or affirmation, before any justice of the peace in the county, that they have reason to believe, and do believe, that intoxicating liquor is kept or deposited in any dwelling-house, store, shop, steamboat, or water-craft of any kind, depôt, railroad car, or land carriage of any kind, warehouse, or other building or place in said town, and intended for sale by any person not authorized to sell the same, said justice of the peace shall issue a warrant to any sheriff or constable of the State to search the premises described in such complaint; and if any intoxicating liquor is found therein, under circumstances warranting the belief that it is intended for sale contrary to the provisions of this Act, such officer shall seize the same and convey it to some proper place of security, and keep the same until final action is had thereon; and the owner or keeper of the liquor so seized, if he be known to the officer seizing the same, shall be summoned by him to appear forthwith before the justice issuing the warrant; and if he fail to appear, or to show by satisfactory evidence that said liquor is not intended for sale contrary to the provisions of this Act, or is of foreign production, that the same has been imported under the laws of the United States, and in accordance therewith, that it is contained in the original packages in which it was imported, in quantities not less than the laws of the United States prescribe, such liquor shall be adjudged forfeited, and shall be destroyed under a written order of said justice, and in his presence, or in the presence of some person appointed by him and named in said order for that purpose, who shall join with the officer executing such order in certifying upon the back thereof the execution of the same; and the owner or keeper of such liquor shall pay to said town a fine of twenty dollars and costs, if, in the opinion of said justice, said liquor was kept or deposited for the purpose of sale contrary to the provisions of this Act. And the custom-house certificate of importation, and proof of marks on the casks or packages in which such liquor is contained corresponding thereto, shall not be received as evidence that the liquor contained in such packages is that actually imported therein.

SEC. 13. PROVISIONS FOR CASES WHERE THE OWNER IS UNKNOWN.—If the owner, keeper, or possessor of any liquor so seized shall be unknown to the officer seizing the same, it shall, before being destroyed, be advertised, with the number and description of the casks or packages, by posting up in some public place, for two weeks, a written notice of the proceeding. And if it shall be made to appear, within the space of two weeks as aforesaid, that said liquor is actually the property of any town in this State, and was so when seized, and had been purchased for sale by the agent of such town for medicinal, chemical, and mechanical purposes only, the officer having the custody of such liquor shall, upon the order of such justice, deliver said liquor to the agent of the town whose property it is, taking his receipt for the same upon the back of said order, which he shall thereupon return to said justice; and if not so made to appear, such liquor shall be proceeded with as provided in the last preceding section.

SEC. 14. APPEAL GRANTED UNDER BOND.—Any person claiming such liquor may appeal from the judgment of said justice; but his appeal shall not be allowed until he give, with good and sufficient sureties, a bond in the

sum of two hundred dollars, conditioned that he prosecute his appeal to effect, and pay all fines, forfeitures, and costs which may be finally awarded against him; and if the final decision be against him, and the liquor seized as aforesaid exceed in quantity five gallons, he shall be adjudged by the court a common seller of intoxicating liquor, and shall be subject to the penalties provided in section 9 of this Act, and said liquor shall be destroyed as provided in section 12. Nothing in this Act contained shall be so construed as to prevent any chemist, artist, or manufacturer, in whose art or trade it may be necessary, from keeping, at his place of business, such reasonable and proper quantity of distilled liquor as he may have occasion to use in his art or trade, but not for sale.

Sec. 15. Seizure of Liquors on Public Occasions, etc.—It shall be the duty of any sheriff, sheriff's deputy, constable, selectmen, or grand juror, if he shall have information that any intoxicating liquor is kept or sold in any tent, shanty, hut, or place of any kind for selling refreshments in any public place, except dwelling-houses, on or near the ground of any cattle show, agricultural exhibition, military muster, or public occasion of any kind, to search such suspected place without warrant, and if such officer shall find upon the premises any intoxicating liquor, he shall seize and apprehend the keeper or keepers of such place, and take them, with the liquor so found and seized, forthwith, or as soon as conveniently may be, before some justice of the peace of the town in which the same was found; and thereupon such officer shall make a written complaint under oath, and subscribed by him, to such justice; and upon proof that such liquor is intoxicating, that the same was found in the possession of the accused, in a tent, shanty, or other place as aforesaid, he or they shall be sentenced to imprisonment, in the county jail of the county where such offense was committed, for thirty days, and the liquor so seized shall be destroyed by order of said justice, as provided in the twelfth section of this Act; and if any person, apprehended under this section and sentenced as aforesaid, shall claim an appeal, before his appeal is allowed, he shall recognize, with good and sufficient sureties, in the sum of one hundred dollars, that he will prosecute his said appeal to effect, and pay all fines and costs, and suffer such penalty as may be awarded against him. And if he is convicted upon such appeal, he shall, in addition to the penalty imposed by such justice, pay a fine of ten dollars to the town where said liquor was seized as aforesaid. And any person resisting an officer in the execution of his duties under this or any other section of this Act, shall be liable to the same penalties as are provided by law for resisting a sheriff in the execution of legal process.

Sec. 16. Liquors to be Destroyed after Judgment.—Whenever the appellant, in any case arising under this Act, shall fail to enter and prosecute his appeal, or shall be convicted, the county court, or court in which such appeal is finally decided, shall order all liquor seized upon the original complaint, or complaint and warrant, to be destroyed forthwith, under the order of such court, as in case of liquor destroyed under an order of a justice of the peace, as hereinbefore provided.

Sec. 17. Witnesses Bound Over.—It shall be the duty of the justice of the peace or county court, before whom any case arising under this Act is tried, if requested by either party, to take the recognizance of the necessary witnesses, who shall have testified in the case, for their appearance at the county court, in the same sum in which the respondent is ordered to find bonds. And in case any such witness shall refuse to enter into the bond of recognizance ordered, he may be committed to jail on the warrant of the justice or court making such order.

SEC. 18. FORM OF COMPLAINTS.—Complaints for any offense against the 5th section of this Act shall be substantially in the following form, to wit:

"State of Vermont, , ss.

To A. B., justice of the peace for the county of , comes C. D., grand juror of the town of , in said county, and complains that E. F., of , on the day of , A.D. , at , did at divers times sell, furnish, or give away (as the case may be) intoxicating liquor, without authority, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State. C. D., *grand juror*." And the justice to whom the complaint is made shall certify thereon substantially as follows: "This complaint, exhibited to me this day of , A.D. . A. B., *justice of the peace*." And for all offenses against the 9th section of this Act the complaint shall be in substantially the same form, inserting the words, "became a manufacturer of" or "common seller of" (as the case may be) in lieu of the words, "did at divers times sell, furnish, or give away." And in cases arising under the 12th section of this Act, the complaint shall commence, substantially, in the same manner, and proceed in substance as follows: "Come C. D., E. F., and G. H., legal voters in the town of , in said county, and complain that they have reason to believe and do believe that intoxicating liquor is kept or deposited in (describing the place where), and intended for sale, contrary to the form," etc., following the form above mentioned; and the justice to whom the same is made, shall certify thereon in substance as follows, viz: "The above-named C. D., E. F., and G. H. exhibited this complaint to me, and made oath to the truth thereof, this day of , A.D. , before me, A. B., *justice of the peace*." And in cases arising under the 15th section of this Act, the complaint shall follow the same form, substantially, as far as the word "complains," and then proceed, in substance, as follows: "That E. F., of , on the day of , A.D. , kept or sold (as the case may be), in (describing the place), near (describing the public occasion) in said county, the intoxicating liquor seized by me, and here produced, namely (describing the same briefly), contrary to the form," etc., following the said form first mentioned; and all informations, indictments, and declarations in actions of debt founded on this statute may be substantially in the same form, so far as the case will admit; nor shall it be necessary to set forth more particularly the kind or quantity of intoxicating liquor, nor the nature, date, or place of the offense; nor to make any averment of a former conviction for a like offense, but upon proof of one or more former convictions of the same offense, the respondent shall be sentenced to forfeit, pay, and suffer the several fines, forfeitures, and penalties herein provided in such cases. And any defects in such complaint, information, indictment, or declaration, either of form or substance, may be amended by the court before which the same is pending, whether by original entry, appeal, or otherwise. And, under the first of the foregoing complaints, every distinct act of selling, furnishing, or giving away may be proved, and the court shall impose a fine for each offense, or if the number exceed five, the respondent may be adjudged a common seller, and be subjected to the penalties provided in section nine of this Act.

SEC. 19. REGULATION OF FEES.—In addition to the fees now allowed by law, thirty-four cents shall be allowed to the justice for taking any bond required by this Act, thirty-four cents for an order for the destruction of liquor, fifty cents for attending such destruction; to any officer serving any warrant or process for seizing intoxicating liquor, or seizing the same

under the 15th section of this Act, and apprehending the keeper, one dollar; for removing such liquor and keeping the same, his actual expenses; for destroying liquor under the order of any court, and making his return of such order, one dollar; for posting up the notices required in the 13th section of this Act, one dollar; and to every prosecuting officer in case of conviction before a justice of the peace, two dollars, all which are to be taxed as so allowed in the bill of costs against the respondent

SEC. 20. POWERS OF CITY AUTHORITIES.—The mayor and aldermen of the city of Vergennes, or of any other city hereafter incorporated, shall have the same authority and power, and be subject to the same duty and liability in case of any offense, committed within said city or cities against this Act, as the selectmen or grand juror of any town, in case of like offenses committed in such town, and may require like securities of their agent or agents, and determine the amount of their compensation; and the said city or cities shall have the same right to all fines and forfeitures imposed in case of such offense in said city or cities, and the same remedy to recover them, as any town would have if such offense were committed therein.

SEC. 21. PAYMENTS FOR LIQUOR TO BE TREATED AS AGAINST LAW.—All payments or compensations for liquor sold in violation of law, whether in money, labor, or personal property, shall be held and considered to have been received in violation of law, without consideration, and against law, equity, and good conscience, and in any action, either at law or equity, touching such money, labor, or personal property, the purchaser, and also the seller, of such liquor may be a witness for either party. And no action of any kind shall be had or maintained, in any court in this State, for the recovery or possession of intoxicating liquor, or the value thereof, except such as are sold or purchased in accordance with the provisions of this Act.

SEC. 22. PERSONS FOUND INTOXICATED COMPELLED TO DISCLOSE OF WHOM THEY OBTAINED LIQUOR.—Whenever any person within this State shall be found in such a state of intoxication as to disturb the public or domestic tranquillity, any sheriff, deputy sheriff, high bailiff, or justice of the peace for the county, or any constable, grand juror, or selectman of the town in which such person is so found, may, without warrant, and it is hereby made their duty to apprehend such person so intoxicated, and take and retain him in custody, at the expense of the town in which he is so found, in any place within the county, in the discretion of the officer so arresting, until, in the opinion of such officer, the person so detained shall be capable of testifying properly in a court of justice, and as soon as may be thereafter, bring him before some justice of the county, and such person, so found intoxicated, shall, on oath before such justice, disclose the place where, and the person of whom, the liquor so producing intoxication was obtained, and all the circumstances attending it; and, on the refusal or neglect of such person so to disclose, he may, by such justice, be committed to the common jail of the county, at the expense of the town in which he was so found, until he shall so disclose, or by said justice be discharged. And in case said justice shall adjudge from the evidence that the sale, furnishing, or giving away of said liquor was an offense against this Act, he shall forthwith issue his warrant, and cause the person so selling, furnishing, or giving away said liquor, to be brought forthwith before him, and such proceedings shall be had in the case, in all respects, as would have been had if the person so offending had been regularly prosecuted before such justice, for such offense, in the manner prescribed in this Act. And any person resisting the arrest

or detention of such person so found intoxicated, by any of the officers aforesaid, shall be liable to the same penalties as are provided by law for resisting a sheriff in the execution of a legal process.

SEC. 23. PENALTY FOR NEGLECT OF DUTY BY PUBLIC OFFICERS.—Whenever any justice of the peace, grand juror, constable, selectman, county commissioner, sheriff, sheriff's deputy, State's attorney, or other officer, whose duties are to enforce any of the provisions of this Act, shall, on the proper application being made to them, or either of them, refuse or neglect to do and perform faithfully their respective duties, as provided in this Act, every such officer so refusing or neglecting shall be subject to indictment or information by the grand jury, or State's attorney, for the county in which such officer or officers aforesaid refused or neglected to perform his or their respective duties; and on conviction of either of them, the person or officer so convicted shall be fined a sum not exceeding five hundred dollars, nor less than three hundred dollars, in the discretion of the court.

SEC. 24. GRAND JURY TO MAKE PRESENTMENTS.—It shall be the duty of the grand jurors, empannelled before the several country courts, to inquire into, and present all violations of this Act, not otherwise prosecuted, as is hereinbefore provided; and in all cases so commenced before the county court, the fines imposed and the costs incurred shall be received and paid by the treasury of the State.

SEC. 25. PENALTY OF STATE'S ATTORNEY FOR SETTLING WITH OFFENDERS.—If any State's attorney, having charge of any case for violations of this Act, shall settle with, or in any manner release any such offender, whose case is in process of adjudication, before the court shall hear and determine the same, such attorney shall be subject to indictment and fine, not exceeding five hundred dollars, nor less than three hundred dollars, in the discretion of the court.

SEC. 26. FORMER ACTS REPEALED.—All acts, and parts of acts, inconsistent with the foregoing provisions of this Act, are hereby repealed.

SEC. 27. WHEN TO TAKE EFFECT.—The foregoing provisions of this Act shall take effect on the second Tuesday of March next; *provided*, that if a majority of the ballots to be cast as hereinafter provided shall be "*no*," then this Act shall take effect on the first Monday of December, A.D. 1853.

SEC. 28. PROVISIONS FOR EXPRESSION OF CHOICE BY FREEMEN.—A meeting shall be warned and holden on the second Tuesday of February next, at the usual place of holding the annual March town meetings in the several towns in this State, agreeably to the provisions of chapter fifteen of the compiled statutes, at which the freemen of this State may express their judgment and choice in regard to this Act, by depositing their ballots, in a box to be provided for that purpose by the presiding officers of such meetings respectively, with the word "Yes" or "No" written or printed thereon. And the returns of the votes on this question shall be made by the town clerks of the several towns respectively, to the county clerks of their respective counties, within one week from said second Tuesday in February. And the several county clerks shall, within two days next after the third Tuesday in February next, at their respective offices, canvass the votes so returned, and as soon as said votes are so canvassed, they shall certify and return to the secretary of state a statement of such canvass of the votes so returned to them.

SEC. 29. CANVASS OF VOTES.—On the fourth Thursday in February next the secretary of state shall canvass the returns so made to him by the county clerks, and within five days thereafter shall issue his proclamation certifying the result of such vote, and declaring the time when the first 26 sections

of this Act are to take effect, according to the provisions of the 27th section thereof.

SEC. 30. PROSECUTIONS UNDER FORMER ACTS NOT AFFECTED.—No prosecution or other legal proceeding which has been, or shall hereafter be, commenced for any violation of the provisions of chapter eighty-seven of the compiled statutes, shall be prejudiced or affected by this Act; and all licenses granted under said chapter, while the same continues in force, shall have effect until they expire by their own limitation.

SEC. 31. FIRST ELECTION OF COMMISSIONER.—In case the first 26 sections of this Act shall take effect on the second Tuesday of March next by the provisions of this Act, the first election of a county commissioner for each county, as provided by the 2d section, shall be made on the second Tuesday of March next, at meetings to be held on that day in the several towns, which election shall be made and conducted as is provided in said 2d section; and the returns therein provided to be made by the town clerks shall be returned to the county clerks within one week after such election; and the county clerks shall on the third Tuesday of March next make the canvass and proceed in all things as provided in said 2d section; and the county commissioners thus elected shall hold their office until others are elected in their stead.

Approved, November 23, 1852.

THE

PROHIBITORY LIQUOR LAW

OF THE

SOCIETY OF FRIENDS.

In consideration of the corrupting and ruinous effects occasioned by the importation and sale of ardent spirits, which produce intemperance and leads to the impoverishment of many, the injury of the constitution and mind of many more, and the increase of vice and dissoluteness in the land, it is earnestly desired that none of our members may contribute to this great evil by being concerned in importing, distilling, or vending ardent spirits, or selling their grain or other produce for the purpose of distillation; but if any should so far disregard the concern of the Society and the labor of their friends as to continue in either of these practices, and can not be brought to such a sense of their misconduct as to desist from it, they are to be disowned.

Friends should carefully avoid vain and idle company, tippling and sipping drams and strong drinks; for though such as are in these evil practices may not suddenly become drunkards to the greatest degree, yet they are often led on to the greatest transgressions, and even some who have had the good example of virtuous parents, from small beginnings arrived to a shameful excess, to the reproach and ruin of themselves and the great injury of their families.*

The following question is put to each Society, to which a written answer is required four times a year:

Do Friends avoid the use of distilled spirituous liquors, excepting for purposes strictly medicinal, and are they clear of frequenting taverns and of attending places of diversion?

The Friend† who kindly furnished us with the above facts, and who has been a member of the Society of Friends forty-three years, adds:

Of the long standing I have had in the Society of Friends, there has never come to my knowledge of but one case where a member of the Society has knowingly sold grain to a distiller; nor have any pecuniary losses accrued to any of its members who are, in the country, nearly all husbandmen, and, like others of the same occupation, depend upon the best market for the sale of their produce.

* *Discipline of the Society of Friends*, p. 50. † N. Power, Farmington, Mich.

PROHIBITORY LIQUOR LAWS

OF THE

UNITED STATES.

AN ACT

To regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

SEC. 21. *And be it further enacted,* That the President of the United States be authorized to take such measures from time to time as to him may appear expedient to prevent or restrain the vending or distributing of spirituous liquors among all or any of the said Indian tribes, any thing herein contained to the contrary thereof notwithstanding.

APPROVED March 30th, 1802.

AN ACT

To fix the compensations and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes connected with the collection thereof.

SEC. 20. *And be it further enacted,* That any person who shall, after the thirtieth day of June next, erect, or cause to be erected, any still, or boiler, or other vessel used or intended to be used in the distillation of spirituous liquors, or who shall so use any still, or boiler, or other vessel in any part of the United States beyond the then existing boundary line established by law between the United States and the Indian tribes, or who shall be the owner, agent, or superintendent thereof, shall forfeit and pay the sum of five thousand dollars, together with the said still, boiler, or other vessel, and the spirits distilled therein; one moiety of which shall be for the use of the informer, and the other for the use of the United States. And for any violations hereof the same course may and shall be pursued that is prescribed by the act passed the thirtieth of March, one thousand eight hundred and two, entitled, "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," for violations thereof; and the courts specified therein shall have like jurisdiction. And the same authority that is given by the said act to apprehend and remove persons found in violation thereof shall apply and extend to the said stills, boilers, or other vessels, and the spirits distilled therein which may be seized and removed in like manner. And all spirits which shall have been, or which hereafter shall be, so distilled beyond the said boundary line, which

shall be brought into the limits of a collection district, may and shall be seized and forfeited, and the person so introducing the same shall, moreover, forfeit and pay one thousand dollars; one moiety of which shall be for the use of the informer, and the other for the use of the United States: *Provided, nevertheless*, that no person who shall have removed his still out of one collection district into another shall be liable to take out another license during the period of any existing license obtained for the same.

SEC. 21. *And be it further enacted*, That it shall be the duty of the collectors of direct tax and internal duties to prosecute for breaches of the provisions contained in the two preceding sections.

APPROVED March 3d, 1815.

AN ACT

To amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, one thousand eight hundred and two.

SEC. 2. *And be it further enacted*, That it shall and may be lawful for the President of the United States, in execution of the power vested in him by the twenty-first section of the act of the thirtieth of March, one thousand eight hundred and two, aforesaid, to which this is an amendment, to direct Indian agents, governors of territories acting as superintendents of Indian affairs, and military officers, to cause the stores and packages of goods of all traders to be searched, upon suspicion or information that ardent spirits are carried into the Indian countries by said traders in violation of the said twenty-first section of the act to which this is an amendment; and if any ardent spirits shall be so found, all the goods of the said traders shall be forfeited, one half to the use of the informer, and the other half to the use of the government, his license canceled, and bond put in suit.

APPROVED May 6th, 1822.

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LIFE OF HON. NEAL DOW.

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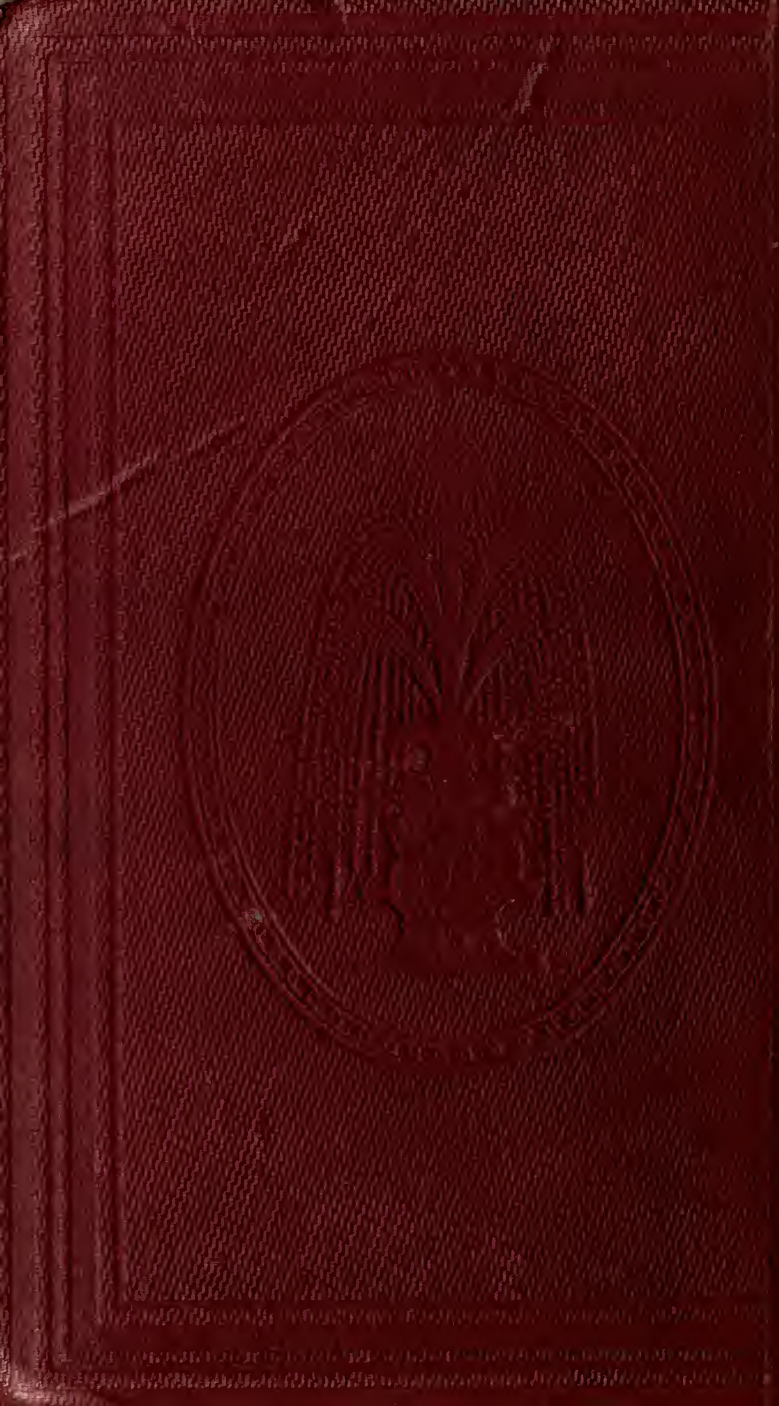
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